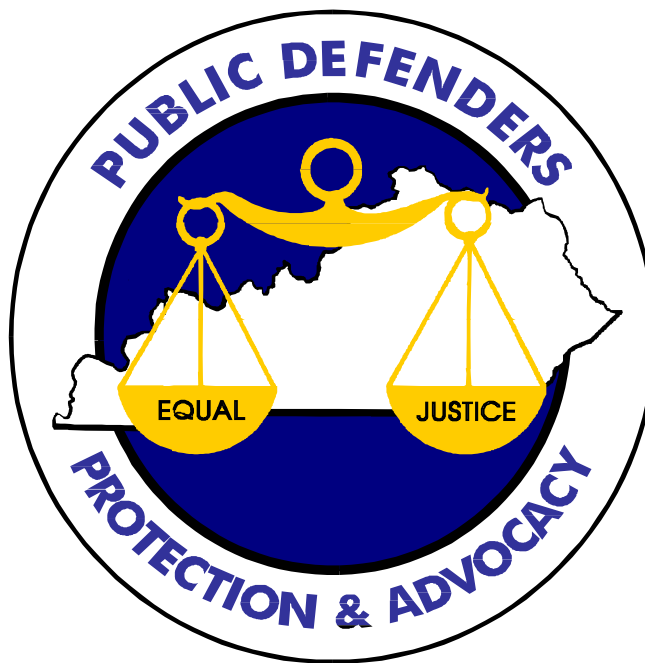


*KENTUCKY
DEPARTMENT OF PUBLIC
ADVOCACY*



DEFENDER CASELOAD REPORT
Fiscal Year 2002 -2003

Erwin W. Lewis
Public Advocate
October 2003

DPA DEFENDER MISSION STATEMENT

Provide each client with high quality services through an effective delivery system, which ensures a defender staff dedicated to the interests of their clients and the improvement of the criminal justice system.

DIVISION MISSION STATEMENTS

Law Operations

As a team, effectively and efficiently provide all critical support services to our internal and external DPA customers to meet the agency's mission of high quality representation of clients.

Trials

Serve as leaders of the criminal defense bar in every community across the Commonwealth by providing high quality representation for every client facing loss of life or liberty at the trial level.

Post-Trials

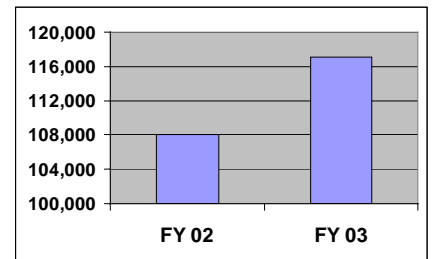
Through high-quality representation, defend the life and liberty of post-trial clients and protect the statutory and constitutional rights of those the state has incarcerated or confined.

Executive Summary

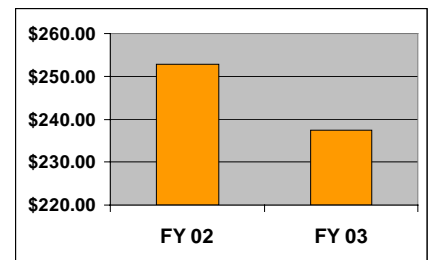
In Fiscal Year 03 (July 1, 2002-June 30, 2003) the Department of Public Advocacy (DPA), Kentucky's statewide Public Defender Program, provided representation in over 117,000 cases at an average of \$238.06 per case and with funding of \$6.81 per capita. The highlights of the casework in FY 03 are:

- ◆ Overall cases rose to over 117,000, up from 108,000 in FY 02.
- ◆ Trial cases increased by over 8.8% from FY 02, rising from nearly 106,000 cases to over 115,000 cases.
- ◆ Of the 115,000, 23% (or over 26,000) were Circuit Court cases, 77% (or over 88,000) were District Court cases. The Circuit % continues to climb. In FY 02, 21% were circuit and 79% were District. In FY 97, 16% were Circuit, and 84% were District.
- ◆ Juvenile cases handled in FY 03 were 16,501, an over 2% drop from FY 02.
- ◆ The average number of cases handled by a trial attorney rose from 436 in FY 02 to 484 in FY 03, an increase of over 11%.
- ◆ Fourteen Trial Division field offices had average caseloads of over 500 new open cases per lawyer, far in excess of national standards. Two trial offices exceeded 600 new open cases per lawyer.
- ◆ DPA Per Case funding decreased by 5.9% over FY 02, falling from \$252.96 to \$238.06.
- ◆ DPA Per Capita funding increased by 1.3% over FY 02, expanding from \$6.72 to \$6.81.
- ◆ Of the 115,000 trial cases, 2,700 cases were handled by contract conflict counsel receiving cases from DPA full-time offices, compared to 2,400 conflict cases in FY 02.

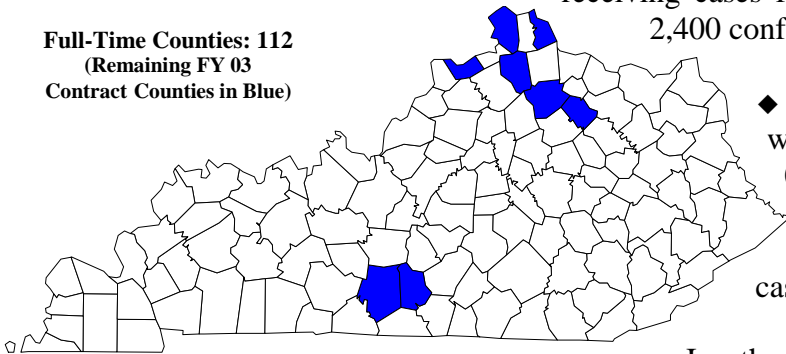
DPA Caseload – All Divisions



DPA Funding Per Case



Full-Time Counties: 112
(Remaining FY 03)
Contract Counties in Blue



- ◆ In 1996, DPA covered 47 counties with full-time defenders. By the end of FY 03, 112 of Kentucky's 120 counties (over 93%) were being handled by full-time defenders. In FY 03, 97.8% of trial cases were handled by full-time defenders.

In the last year, many clients have been represented by our defenders in all of the courts of the Commonwealth, ensuring each client receives fair process and ensuring the results are reliable.

Erwin W. Lewis
Public Advocate

TABLE OF CONTENTS

Mission Statements

Inside Front Cover

DPA Defender
Law Operations
Trials
Post Trials

Executive Summary

TAB

DPA Fiscal Year 2003 Reported Expenditures and Cases

1

- ◆ Statement of Definitions
- ◆ Divisions' Data Comparisons
- ◆ Full Agency Caseload Comparisons

Trial Division Reports:

- ◆ Trial Division Funding Per Case Analysis - Fiscal Year 2003 2
- ◆ Trial Division Caseload by County Type – Fiscal Year 2003
- ◆ Trial Division Field Office Workload - Fiscal Year 1999 through Fiscal Year 2003 3
- ◆ Trial Division Cases Reported Opened - Fiscal Year 2003 4
- ◆ Trial Division Regions and Offices: Case and Population Totals; Case Averages; and Poverty, Unemployment, and Education Statistics – Fiscal Year 2003
- ◆ Trial Division Capital Eligible, Juvenile, and Involuntary Commitment Cases Reported Opened – Fiscal Year 2003 – with Juvenile Caseload Trends 5

Post Trial Division Reports:

- ◆ Appeal Cases 6
 - ◆ Appeals Branch - Fiscal Year 2003
 - ◆ Capital Appeals Branch - Fiscal Year 2003
 - ◆ Maps – Appeals Branch Cases by County – Court of Appeals and Supreme Court
- ◆ Juvenile Post Disposition Branch - Fiscal Year 2003 7
- ◆ Post Conviction Cases 8
 - ◆ Post Conviction Branch - Fiscal Year 2003
 - ◆ Capital Post Conviction Branch - Fiscal Year 2003
- ◆ Post Trial Division - Data Comparisons, All Branches 9

DEPARTMENT OF PUBLIC ADVOCACY
FISCAL YEAR 2003 REPORTED EXPENDITURES AND CASES
July 1, 2002 - June 30, 2003

TRIAL DIVISION

I. Full-Time DPA Offices: Total 112 Counties, 27 Offices

Population	3,803,346
DPA Dollars	
Local Dollars	\$ 1,802,769.00
Full-Time Contractual Office Recoupment Dollars	
Total Dollars ^{1,2}	
Reported Cases	112,521
Average Trial Full-Time Per Case Funding	\$ -

II. Part-Time DPA Trial Contract Counties: Total 8 Counties

Population	289,545
DPA Dollars ³	
Local Dollars	\$ 62,880.00
Direct Recoupment Dollars	
Total Dollars	
Reported Cases	2,657
Average Trial Contract Per Case Funding	\$ -

III. Capital Trial Branch

Capital Trial Branch Expenditures	\$ 756,051.00
Capital Contracts with Private Bar	\$ 170,191.00
Total Dollars	\$ 926,242.00
Reported Cases ⁴	17
Average Capital Trial Branch Per Case Funding	\$ 54,485

IV. Other Trial Division Expenditures

Conflict Contract Pool w/ Private Bar	
Non-Capital Contracts	
Other Divisional Expenses (e.g., divisional administration, apportioned agency overhead rate) ⁵	
Total Other Dollars	\$ -

V. Total Trial Division Expenditures

Total Trial Dollars	\$ 926,242.00
Total Trial Cases	115,178
Average Total Trial Per Case Funding	\$ 8.04

POST-TRIAL DIVISION

I. Appeals Branch⁶

In-House

Appellate Dollars	\$	951,227.00
Appellate Cases		218
Average In-House Per Case Funding	\$	4,363.43

"Of Counsel"

Appellate Dollars	\$	73,171.00
Appellate Cases		103
Average "Of Counsel" Per Case Funding	\$	710.40

Total Appeals Branch

Appellate Dollars	\$	1,024,398.00
Appellate Cases		321
Average Per Case Funding	\$	3,191.27

II. Louisville Field Office⁶

Appellate Dollars		
Appellate Cases		124
Average Per Case Funding	\$	-

III. Lexington Field Office⁶

Appellate Dollars		
Appellate Cases		64
Average Per Case Funding	\$	-

IV. Capital Appeals Branch

Capital Appeals Dollars	\$	471,316.00
Capital Appeals Cases		22
Average Per Case Funding	\$	21,423.45

V. Capital Post-Conviction Branch

Capital Post-Conviction Dollars	\$	510,892.00
Capital Post-Conviction Cases		9
Average Per Case Funding	\$	56,765.78

VI. Juvenile Post-Dispositional Branch

Juvenile Post-Dispositional Dollars	\$	637,876.00
JAIBG Match Dollars	\$	8,333.00
Total Dollars	\$	646,209.00
Juvenile Appeals		45
Juvenile Access to Courts		689
Juvenile Post-Dispositional Cases		75
JAIBG Cases ⁷		66
Total Juvenile Post-Disposition Branch Cases		875
Average Per Case Funding	\$	738.52

VII. Post-Conviction Branch⁸

Post-Conviction Dollars	\$	1,254,444.00
Legal Action in Court Cases		309
Access to Court Cases		220
"Kentucky Innocence Project" cases		10
Total Post-Conviction Cases		539
Average Per Case Funding	\$	2,327.35

VIII. Other Post-Trial Division Expenditures

Other Divisional Expenses (e.g., divisional administration, apportioned agency overhead rate)⁵

Capital Conflict Contracts	\$	51,414.00
Total Other Expenditures:	\$	51,414.00

IX. Total Post-Trial Division Expenditures

Total Post-Trial Dollars	\$	3,958,673.00
Total Post-Trial Cases		1,954
Average Total Post-Trial Per Case Funding	\$	2,025.93

GRAND TOTALS

DPA Dollars	\$	4,884,915.00
Local Dollars	\$	1,432,556.00
Recoupment Dollars	\$	918,074.42
Total Dollars	\$	7,235,545.42
Total Reported Cases		117,132
Funding Per Case	\$	61.77
Population		4,092,891
Funding Per Capita	\$	1.77

¹Amounts spent by Lexington and Louisville's full-time, contractual trial offices on in-house appeals have been subtracted from Trial Division, Full-Time Office Totals. The amount, \$464,947.29 (apportioned at 3.6% and 9.4% to the respective offices), may be found in the Post-Trial Division's costs, and is based on historical benchmarks.

²Regional Manager expenditures, calculated separately from individual field office expenditures, have been added here, in the amount of \$522,788.00. These costs include administration and direct representation spread over multiple offices within each managers' region.

³Includes Indirect Recoupment Dollars.

⁴Includes fifteen cases from full-time DPA counties. Capital Trial Branch cases are not separated out in the Tab 2 "DPA Trial Level Cost Per Case Analysis by County". When the fifteen full-time county cases handled by the Capital Trial Branch are added back into the respective county type case totals, part-time and full-time case totals will match Tab 2 county analysis. The grand total of cases for the Trial Division (105,855) is the same in both analyses.

⁵Agency overhead apportioned consistent with the size of the individual budget for both the Trial and Post Trial Divisions. A small amount of agency overhead cost, dedicated to agency functions involving the pursuit of legal, administrative, and other appropriate remedies to insure the protection of the rights of the developmentally disabled, is not reflected in this document.

⁶For uniformity of measurement, only original briefs and original actions are counted here to determine funding per case; all entities providing appellate representation also provide additional services.

⁷JAIBG (Juvenile Accountability Incentive Block Grant) cases are made possible by federal government funds that are distributed to DPA by the Kentucky Department of Juvenile Justice. The program is designed to promote greater accountability in the juvenile justice system.

⁸Additional Post-Conviction cases were handled by Lexington and Louisville's full-time trial offices. These cases (and their costs) are not separated from Trial Division Totals to ensure uniformity of measurement and due to the limited costs and number of cases.

Statement of Definitions: Trial and Post Trial Cases and Case Counting Methods

Total cases listed for a branch, division, or DPA as a whole are only those cases that were *opened* during the fiscal year being reported. The totals do not include the numerous, ongoing cases handled by DPA that were opened in previous fiscal years. This exclusion is particularly important in capital cases, which typically remain open for several years.

DPA has extensive protocols for the application of case definitions and case counting methods that take into account the unique differences among circuit and district court cases, juvenile and adult cases, etc. These definitions were developed in concert with staff input, KRS requirements, and commonly accepted statistical methodology. Consistency of application is insured through the use of the agency's Case Tracking System (CTS), an in-house database.

Throughout this document, the following definitions and methods of case counting are used consistently.

Trial Division Cases

A **case** consists of a single accused, having either under the same or different case number(s), one or more charges, allegations, or proceedings arising out of one event or a group of related contemporaneous events. These charges must be brought contemporaneously against the defendant, stemming from the same course of conduct, and involving proof of the same facts. Some cases assigned to individual attorneys are conducted, either wholly or in part, outside the confines of state courts (e.g., parole revocation hearings, KRS 31.110 line-ups, interrogations, other pre-charge events, witness representations); however, to be counted as a "case" for Trial Division statistical purposes, a formal appointment by a court with appropriate jurisdiction is required. An individual attorney's actions do not constitute a "case" (for agency statistical purposes) if the activity is brief, strictly routine (e.g., standing in for arraignment purposes at a regularly scheduled motion hour, responding to inmate correspondence), and performed as a courtesy to the court.

In addition to adhering to the general agency definition of a "case," to be counted as a **capital eligible case**, an accused must be charged with at least one count of kidnapping or murder, with a qualifying KRS aggravator identified. The number of attorneys assigned to the case has no bearing on the agency's counting of capital cases, and, because cases must be entered and categorized upon assignment, the agency does not require prior receipt of notice from the Commonwealth's Attorney that the death penalty will be sought.

Post Trial Division Cases

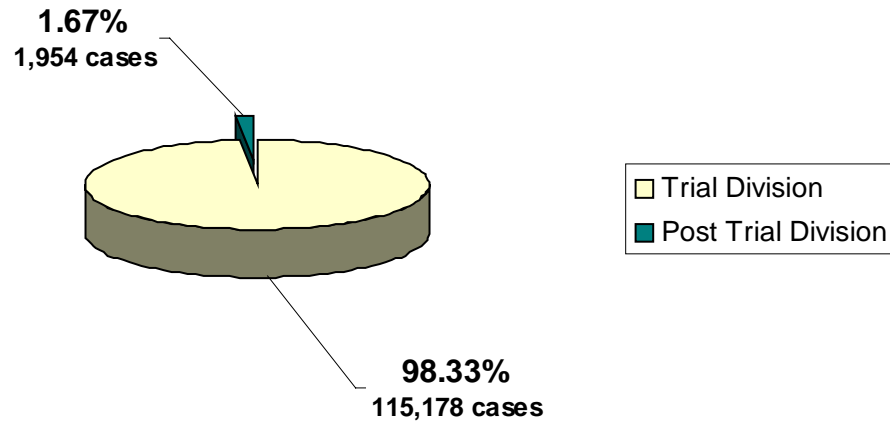
The Post Trial Division has five branches, each of which has a different mission and function. Cases are counted in accordance with the mission and function of each branch. Across the division, a case is assigned and counted as a case at the following points in the process:

- a. When a direct appeal is received and the case is assigned to counsel to brief.
- b. When a post conviction appeal is received and the case is assigned to counsel to brief. These include appeals from RCR 11.42 denials, CR 60.02 denials, state habeas denials, conditional guilty pleas, probation revocations, denials of requests to withdraw guilty pleas, jail credit denials, sentence reduction denials, and Lewis hearing appeals.
- c. When a petition for habeas corpus is filed in the U.S. District Court.
- d. When a final (versus proof) brief is filed on a habeas case in the Sixth Circuit Court of Appeals.
- e. When a petition for writ of certiorari is granted and briefing is ordered.
- f. When a motion for discretionary review is granted and briefing is ordered.

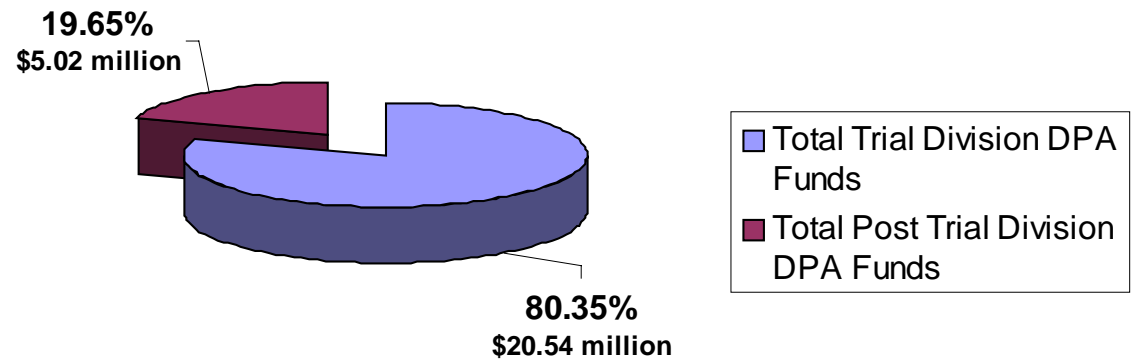
Other cases which are counted in the Post Trial Division include:

- g. Original actions filed and extraordinary writs filed in a circuit court, court of appeals, supreme court, or federal court.
- h. Fact, duration or condition of confinement cases pursued on behalf of clients under eighteen years of age who are in the juvenile system. These include inter alia motions to terminate commitment, cases pursued as Section 1983 litigation, ARC hearings, YO sentencing hearings where JPDB lawyers do not enter the case until the sentencing stage as the attorneys for the child in circuit court, supervised placement revocation hearings.
- i. state habeas actions
- j. RCR 11.42 pleadings
- k. CR 60.02 pleadings
- l. Section 1983 litigation related to capital post conviction representation
- m. Clemency filings on behalf of capital and non-capital clients
- n. Motions filed in post conviction to correct the sentence
- o. Motions filed to reopen cases pursuant to the Kentucky Innocence Project

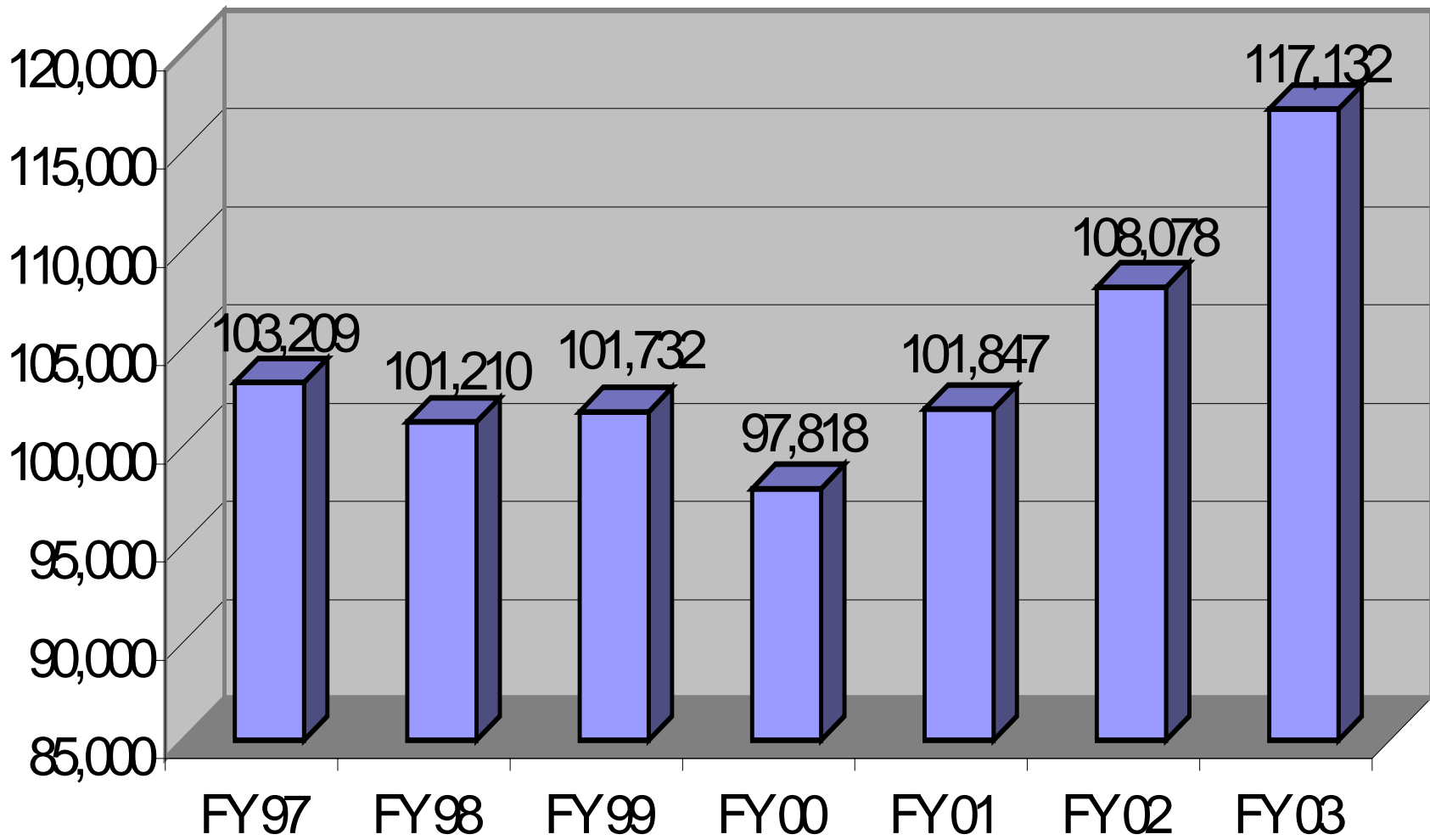
DPA Caseload by Division, FY 03



Expenditure of DPA Funds by Division, FY 03



Total DPA Caseload: Trial and Post Trial Combined



DPA TRIAL LEVEL FUNDING PER CASE ANALYSIS BY COUNTY - FISCAL YEAR 2003

I. FULL-TIME PUBLIC ADVOCACY OFFICES: TOTAL 112 COUNTIES; 27 OFFICES

OFFICE/COUNTY	POP. ¹	%PVTY. ²	%UNEMP ³	DPA\$**	LOCAL\$	PARTIAL FEE\$	TOTAL\$	CASES	FUNDING/CASE***
BELL COUNTY				\$ 326,038.00			\$ 326,038.00		
BELL	30,114	25.1	8.2				\$ -	1402	
HARLAN	32,585	26.2	9.9				\$ -	718	
SUBTOTAL	62,699			\$ 326,038.00		\$ -	\$ 326,038.00	2,120	\$ 153.79
BOWLING GREEN				\$ 639,972.00			\$ 639,972.00		
ALLEN	18,170	13.9	6.9				\$ -	213	
BUTLER	13,158	16.2	10.3				\$ -	293	
EDMONSON	11,841	17.3	7.1				\$ -	166	
SIMPSON	16,666	11.0	6.2				\$ -	311	
WARREN	94,730	13.2	4.5				\$ -	3084	
SUBTOTAL	154,565			\$ 639,972.00		\$ -	\$ 639,972.00	4,067	\$ 157.36
BULLITT COUNTY									
BULLITT	63,800	8.6	5.2	\$ 180,495.00		\$ 8,350.35	\$ 188,845.35	1033	\$ 182.81
CATLETTSBURG*									
BOYD	49,603	15.3	5.4	\$ 97,380.00	\$ 193,399.00	\$ 24,069.00	\$ 314,848.00	866	\$ 363.57
COLUMBIA				\$ 461,996.00			\$ 461,996.00		
ADAIR	17,348	22.0	5.4					487	
CASEY	15,773	21.0	7.2					331	
CLINTON	9,667	24.3	7.7					268	
CUMBERLAND	7,179	22.1	5.9					141	
GREEN	11,733	19.0	5.5					271	
MARION	18,427	17.0	3.9					457	
MONROE	11,783	19.0	7.5					263	
TAYLOR	23,202	16.7	6.3					752	
WASHINGTON	11,103	13.4	5.2					175	
SUBTOTAL	126,215			\$ 461,996.00		\$ -	\$ 461,996.00	3,145	\$ 146.90
COVINGTON				\$764,382.00			\$764,382.00		
GALLATIN	7,836	13.1	5.2					203	
KENTON	152,164	9.1	3.9					3,819	
SUBTOTAL	160,000			\$764,382.00		\$ -	\$ 764,382.00	4,022	\$ 190.05
DANVILLE				\$ 652,190.00			\$ 652,190.00		
BOYLE	27,865	12.1	6.0					617	
GARRARD	15,618	14.3	4.6					332	
JESSAMINE	40,740	11.6	3.2					1004	
LINCOLN	24,055	17.5	7.0					356	
MERCER	21,047	12.2	5.0					453	
SUBTOTAL	129,325			\$ 652,190.00		\$0.00	\$ 652,190.00	2,762	\$ 236.13

OFFICE/COUNTY	POP. ¹	%PVTY. ²	%UNEMP ³	DPA\$**	LOCAL\$	PARTIAL FEES\$	TOTAL\$	CASES	FUNDING/CASE***
ELIZABETHTOWN				\$ 1,014,147.00			\$ 1,014,147.00		
BRECKINRIDGE	18,952	16.5	8.0				\$ -	560	
GRAYSON	24,410	16.7	8.7				\$ -	480	
HARDIN	95,724	10.7	6.9				\$ -	3527	
HART	17,667	20.6	4.8				\$ -	488	
LARUE	13,372	13.8	5.3				\$ -	332	
MEADE	27,439	10.0	6.6				\$ -	546	
NELSON	38,823	11.7	6.7			\$ 749.30	\$ 749.30	508	
SUBTOTAL	236,387			\$ 1,014,147.00		\$749.30	\$ 1,014,896.30	6,441	\$ 157.57
FRANKFORT				\$ 456,199.00			\$ 456,199.00		
ANDERSON	19,561	8.0	4.7				\$ -	343	
BOURBON	19,576	12.7	5.4				\$ -	539	
FRANKLIN	48,201	10.0	3.4					978	
OWEN	10,936	14.8	4.6			\$ 1,030.46	\$ 1,030.46	186	
SCOTT	35,320	9.4	4.5				\$ -	646	
WOODFORD	23,403	7.3	3.2				\$ -	402	
SUBTOTAL	156,997			\$ 456,199.00		\$ 1,030.46	\$ 457,229.46	3,094	\$ 147.78
HAZARD				\$ 660,236.00			\$ 660,236.00		
KNOTT	17,729	24.2	5.4					380	
LETCHER	24,934	23.1	9.3					1236	
PERRY	29,371	24.5	7.1					3,070	
SUBTOTAL	72,034			\$ 660,236.00		\$ -	\$ 660,236.00	4,686	\$ 140.90
HENDERSON				\$ 439,544.00			\$ 439,544.00		
CRITTENDEN	9,223	15.9	10.8					257	
HENDERSON	44,995	12.7	5.8					1990	
UNION	15,562	13.3	5.2					446	
WEBSTER	14,079	13.8	6.3					293	
SUBTOTAL	83,859			\$ 439,544.00		\$ -	\$ 439,544.00	2,986	\$ 147.20
HOPKINSVILLE				\$ 739,341.00			\$ 739,341.00		
CALDWELL	12,913	15.8	4.4					251	
CHRISTIAN	71,267	15.2	5.8					3691	
LIVINGSTON	9,846	11.6	6.7					253	
LOGAN	26,800	13.8	7.7					541	
LYON	8,163	13.4	6.6					204	
TODD	11,987	14.1	5.6					238	
TRIGG	12,681	11.4	6.5					167	
SUBTOTAL	153,657			\$ 739,341.00		\$ -	\$ 739,341.00	5,345	\$ 138.32

OFFICE/COUNTY	POP. ¹	%PVTY. ²	%UNEMP ³	DPA\$**	LOCAL\$	PARTIAL FEES\$	TOTAL\$	CASES	FUNDING/CASE***
LAGRANGE				\$ 302,401.00			\$ 302,401.00		
HENRY	15,367	13.1	4.2					372	
OLDHAM	49,310	5.0	2.9					413	
SHELBY	35,125	9.2	4.4					809	
SPENCER	13,523	8.9	4.6					97	
TRIMBLE	8,672	13.1	5.4					153	
SUBTOTAL	121,997			\$ 302,401.00		\$ -	\$ 302,401.00	1844	\$ 163.99
LEXINGTON*									
FAYETTE	263,618	11.1	3.5	\$ 969,009.00	\$ 120,790.00	\$ 265,605.87	\$ 1,355,404.87	7,468	\$ 181.50
LONDON				\$ 639,302.00			\$ 639,302.00		
CLAY	24,264	30.3	10.1					747	
KNOX	31,841	28.3	6.9					824	
LAUREL	54,313	18.1	6.0					1484	
LESLIE	12,281	24.9	7.3					263	
WHITLEY	36,636	23.6	7.3					691	
SUBTOTAL	159,335			\$ 639,302.00		\$ -	\$ 639,302.00	4,009	\$ 159.47
LOUISVILLE*									
JEFFERSON	698,080	11.5	5.6	\$ 3,145,400.00	\$ 1,425,700.00	\$ 42,727.91	\$ 4,613,827.91	25,981	\$ 177.58
MADISONVILLE				\$ 316,401.00			\$ 316,401.00		
HOPKINS	46,588	15.5	6.0					1486	
McLEAN	10,047	14.0	7.1					125	
MUHLENBERG	31,702	16.1	8.6					511	
SUBTOTAL	88,337			\$ 316,401.00		\$ -	\$ 316,401.00	2,122	\$ 149.11
MAYSVILLE				\$ 434,018.00			\$ 434,018.00		
BRACKEN	8,482	12.2	5.2					253	
FLEMING	14,095	18.0	5.4					358	
LEWIS	13,944	23.9	10.4					317	
MASON	16,916	16.3	4.9					1046	
PENDLETON	14,815	12.1	4.5			\$ 8,837.00	\$ 8,837.00	214	\$ 41.29
ROBERTSON	2,359	15.8	4.9			\$ 1,220.00	\$ 1,220.00	50	\$ 24.40
SUBTOTAL	70,611			\$ 434,018.00		\$ 10,057.00	\$ 444,075.00	2,238	\$ 198.42
MOREHEAD				\$ 822,191.00			\$ 822,191.00		
BATH	11,407	20.1	6.7					363	
CARTER	27,055	21.0	10.5					781	
ELLIOTT	6,752	24.4	9.4					184	
GREENUP	36,761	14.4	5.2					655	
MENIFEE	6,708	23.5	6.9					305	
MONTGOMERY	23,262	14.7	6.1					945	
MORGAN	14,204	25.8	9.9					395	
ROWAN	22,265	18.3	5.5					1041	
SUBTOTAL	148,414			\$ 822,191.00		\$ -	\$ 822,191.00	4,669	\$ 176.10

OFFICE/COUNTY	POP. ¹	%PVTY. ²	%UNEMP ³	DPA\$**	LOCAL\$	PARTIAL FEES\$	TOTAL\$	CASES	FUNDING/CASE***
MURRAY				\$ 492,130.00			\$ 492,130.00		
CALLOWAY	34,392	13.3	7.1			\$ 270.00	\$ 270.00	632	
GRAVES	37,225	14.3	6.8					1595	
MARSHALL	30,261	10.6	8.2			\$ 147.50	\$ 147.50	529	
SUBTOTAL	101,878			\$ 492,130.00		\$ 417.50	\$ 492,547.50	2,756	\$ 178.72
OWENSBORO				\$ 546,892.00			\$ 546,892.00		
DAVISS	91,694	12.0	5.5					2583	
HANCOCK	8,573	11.3	7.0					170	
OHIO	23,272	16.0	8.8					543	
SUBTOTAL	123,539			\$ 546,892.00		\$ -	\$ 546,892.00	3,296	\$ 165.93
PADUCAH*				\$ 784,179.00			\$ 784,179.00		
BALLARD	8,163	12.9	8.1			\$ 1,454.35	\$ 1,454.35	309	
CARLISLE	5,323	13.4	5.7			\$ 3,188.72	\$ 3,188.72	80	
FULTON	7,551	21.0	7.1			\$ 3,835.70	\$ 3,835.70	391	
HICKMAN	5,200	14.9	5.9					154	
McCRACKEN	64,534	13.9	5.4					3887	
SUBTOTAL	90,771			\$ 784,179.00		\$ 8,478.77	\$ 792,657.77	4,821	\$ 164.42
PAINTSVILLE				\$ 300,572.00			\$ 300,572.00		
JOHNSON	23,356	22.5	5.7					654	
LAWRENCE	15,784	23.9	8.3					291	
MAGOFFIN	13,358	28.2	13.0					361	
MARTIN	12,529	27.3	6.8					162	
SUBTOTAL	65,027			\$ 300,572.00		\$ -	\$ 300,572.00	1468	\$ 204.75
PIKEVILLE				\$ 551,751.00			\$ 551,751.00		
FLOYD	42,226	25.0	6.4					1060	
PIKE	67,803	20.0	5.6					1505	
SUBTOTAL	110,029			\$ 551,751.00		\$ -	\$ 551,751.00	2,565	\$ 215.11
RICHMOND				\$ 583,130.00			\$ 583,130.00		
CLARK	33,726	11.9	5.6					885	
JACKSON	13,778	24.7	5.6					281	
MADISON	73,334	13.9	4.9					1613	
ROCKCASTLE	16,783	19.9	6.2					438	
SUBTOTAL	137,621			\$ 583,130.00		\$ -	\$ 583,130.00	3,217	\$ 181.27
SOMERSET				\$ 650,336.00			\$ 650,336.00		
McCREARY	16,993	28.7	10.5					600	
PULASKI	57,160	17.1	7.2					1171	
RUSSELL	16,628	21.0	10.8					486	
WAYNE	20,089	23.7	6.6					556	
SUBTOTAL	110,870			\$ 650,336.00		\$ -	\$ 650,336.00	2,813	\$ 231.19

OFFICE/COUNTY	POP. ¹	%PVTY. ²	%UNEMP ³	DPA\$**	LOCAL\$	PARTIAL FEES\$	TOTAL\$	CASES	FUNDING/CASE***
STANTON				\$ 566,993.00			\$ 566,993.00		
BREATHITT	15,886	28.6	9.6					728	
ESTILL	15,341	21.9	6.3					425	
LEE	7,949	27.0	7.1					285	
OWSLEY	4,761	33.7	4.9					276	
POWELL	13,205	20.8	7.6					667	
WOLFE	6,936	28.0	7.3					306	
SUBTOTAL	64,078			\$ 566,993.00		\$ -	\$ 566,993.00	2,687	\$ 211.01
SUBTOTAL	3,803,346			\$ 17,356,130.00	\$ 1,739,889.00	\$ 353,135.81	\$ 19,449,154.81	112,521	\$ 172.85

II. PART-TIME CONTRACT COUNTIES: TOTAL 8 COUNTIES

COUNTY	POP. ¹	%PVTY. ²	%UNEMP ³	DPA\$	LOCAL\$	PARTIAL FEES\$	TOTAL\$	CASES	FUNDING/CASE
BARREN^	38,749	14.9	4.3	\$ 116,126.45	\$ 15,517.87	\$ 7,392.00	\$ 139,036.32	369	\$ 376.79
BOONE	93,290	6.1	3.6	\$ 52,100.00	\$ 30,000.00	\$ 53,562.20	\$ 135,662.20	451	\$ 300.80
CAMPBELL	88,604	9.3	3.8	\$ 123,218.00		\$ 34,568.95	\$ 157,786.95	1138	\$ 138.65
CARROLL	10,223	14.4	8.6	\$ 21,082.00	\$ 3,756.00	\$ 31,094.13	\$ 55,932.13	269	\$ 207.93
GRANT	23,620	11.8	5.4	\$ 15,053.00		\$ 20,772.13	\$ 35,825.13	141	\$ 254.08
HARRISON^	18,079	12.2	7.0	\$ 6,088.02	\$ 1,803.06	\$ 13,880.80	\$ 21,771.88	31	\$ 702.32
METCALFE^	10,046	19.5	4.2	\$ 59,164.70	\$ 7,906.13	\$ 1,816.50	\$ 68,887.33	188	\$ 366.42
NICHOLAS^	6,934	14.1	9.6	\$ 13,157.98	\$ 3,896.94	\$ 3,839.50	\$ 20,894.42	67	\$ 311.86
UNIDENTIFIED	N/A	N/A	N/A	N/A	N/A	N/A	N/A	3	N/A
SUBTOTAL	289,545			\$ 405,990.15	\$ 62,880.00	\$ 166,926.21	\$ 635,796.36	2,657	\$ 239.29
GRAND TOTAL	4,092,891			\$ 17,762,120.15	\$ 1,802,769.00	\$ 520,062.02	\$ 20,084,951.17	115,178	\$ 174.38

¹Source: Population Division, U.S. Census Bureau; Table CO-EST2002-01-21 - Kentucky County Population Estimates: April 1, 2000 to July 1, 2002 (Release Date: April 17, 2003).

²Source: U.S. Census Bureau, Housing and Household Economic Statistics Division, Small Area Estimates Branch. Table A99-21. "Estimated Number and Percent People of All Ages in Poverty by County: Kentucky 1999". Last revised: October 29, 2002.

³Source: U.S. Department of Labor: Bureau of Labor Statistics - "Labor Force Data by County, 2002 Annual Averages."

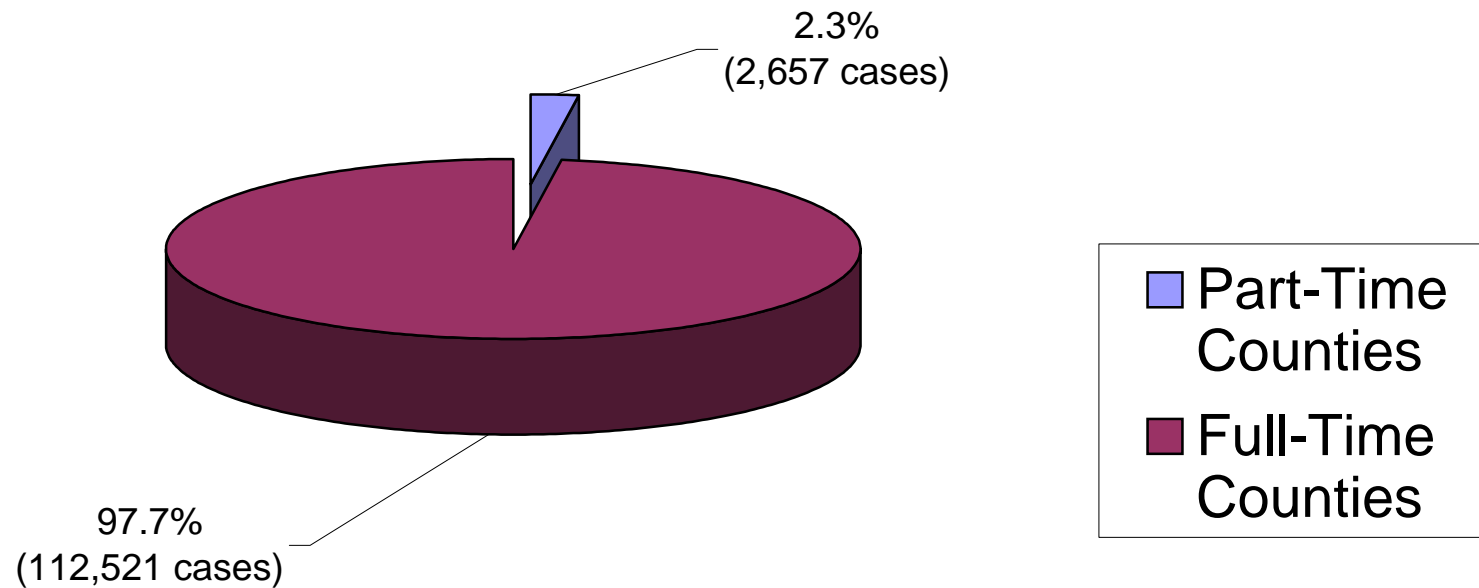
*Office received both agency budgeted funds (found to the right of the office name) and local allotment funds, due to status as a contract office, a mid-year takeover of the listed counties, or other causes.

**Regional Manager costs not included. These costs are considered in the agency-wide calculations behind Tab 1.

***Reflects aggregate Funding Per Case for each field office; individual counties are not broken out due to internal budgeting methods.

^Local and DPA dollars for Barren and Metcalfe Counties are paid in one lump sum and cannot be separated, and the same is true for Harrison and Nicholas Counties. The allotted local and DPA money has been divided between the two counties in each set in proportion to the cases reported in each county.

Trial Division : Caseload by County Type - FY 03



FIELD OFFICE WORKLOAD - ALPHABETICAL LISTING, Fiscal Year 1999 Through Fiscal Year 2003 - Fourth Quarter -Final

OFFICE	ATTYs*	FY 99 Cases	FY 00 Cases	FY 00 AVG cases/atty	FY01 Cases	FY 01 Conflict Cases	FY 01 AVG cases/atty	FY 02 Cases	FY02 Conflict Cases	Conflict % of Total Cases	% change in total caseload	FY 02 AVG cases/atty	FY 03 Cases	FY03 Conflict Cases	Conflict % of Total Cases	% change in total caseload ⁵	FY 03 AVG cases/atty
Bell County	4	1,771	1605	321.0	1,809	16	448.3	2,236	15	0.67%	23.60%	555.3	2,120	9	0.42%	-5.19%	527.8
Bowling Green	9	0	3370	842.5	3,843	613	358.9	3,951	231	5.85%	2.81%	413.3	4,065	137	3.37%	2.89%	436.4
Bullitt County	2	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A	1,103	0	0.00%	N/A	551.5
Catlettsburg	2	759	694	347.0	740	2	369.0	771	9	1.17%	4.19%	381.0	866	1	0.12%	12.32%	432.5
Columbia	6	1,866	2907	581.4	2,879	152	545.4	3,052	58	1.90%	6.01%	499.0	3,135	65	2.07%	2.72%	511.7
Covington	8	3,680	3121	346.8	2,995	61	366.8	3,115	60	1.93%	4.01%	381.9	4,022	85	2.11%	29.12%	492.1
Danville**	5	596	1011	337.0	1,746	141	321.0	2,347	197	8.39%	34.42%	430.0	2,762	268	9.70%	17.68%	498.8
Elizabethtown**	10	2,175	4297	537.1	5,550	96	606.0	5,710	67	1.17%	2.88%	564.3	6,447	85	1.32%	12.91%	636.2
Frankfort	5	1,508	1662	554.0	2,441	23	483.6	2,824	22	0.78%	15.69%	560.4	3,095	15	0.48%	9.60%	616.0
Hazard	8	3,900	3593	513.3	3,576	61	502.1	3,756	71	1.89%	5.03%	460.6	4,675	61	1.30%	24.47%	576.8
Henderson	5	1,854	2662	532.4	2,399	33	591.5	2,349	35	1.49%	-2.08%	462.8	2,989	28	0.94%	27.25%	592.2
Hopkinsville	9	3,623	3824	546.3	4,434	181	472.6	5,244	202	3.85%	18.27%	560.2	5,342	158	2.96%	1.87%	576.0
LaGrange	3	998	861	287.0	1,288	44	414.7	1,512	43	2.84%	17.39%	489.7	1,773	71	4.00%	17.26%	567.3
Lexington¹	18	6,883	6746	396.8	6,863	N/A	381.3 ⁴	7,087	N/A	N/A	3.26%	384.4 ⁴	7,565	11	0.15%	6.74%	419.7
London	7	2,888	2686	383.7	3,549	242	472.4	3,516	146	4.15%	-0.93%	481.4	4,018	274	6.82%	14.28%	534.9
Louisville¹	51	31,390	24495	471.1	22,324	N/A	405.9 ⁴	23,763	N/A	N/A	6.45%	421.9 ⁴	25,981	78	0.30%	9.33%	507.9
Madisonville	4	1,579	1750	350.0	2,044	60	496.0	2,009	67	3.33%	-1.71%	485.5	2,119	81	3.82%	5.48%	509.5
Maysville	5	0	1118	372.7	1,836	112	574.7	1,921	119	6.19%	4.63%	450.5	2,219	88	3.97%	15.51%	426.2
Morehead	9	2,744	2846	406.6	4,251	240	445.7	4,695	130	2.77%	10.44%	507.2	4,670	100	2.14%	-0.53%	507.8
Murray	6	0	0	N/A	590	2	588.0	847	10	1.18%	43.56%	139.5 ³	2,747	70	2.55%	224.32%	446.2
Owensboro	8	3,504	2902	725.5	3,431	21	426.3	3,467	32	0.92%	1.05%	429.4	3,296	35	1.06%	-4.93%	407.6
Paducah	9	4,422	4688	520.9	4,970	139	603.9	5,039	147	2.92%	1.39%	543.6	4,832	124	2.57%	-4.11%	523.1
Paintsville	3	641	964	321.3	1,091	18	357.7	1,151	31	2.69%	5.50%	373.3	1,437	36	2.51%	24.85%	467.0
Pikeville	6	2,116	2147	306.7	2,411	30	396.8	2,692	45	1.67%	11.65%	441.2	2,598	40	1.54%	-3.49%	426.3
Richmond	7	2,492	2672	334.0	2,687	260	346.7	3,164	244	7.71%	17.75%	417.1	3,217	220	6.84%	1.68%	428.1
Somerset	6	1,881	2074	414.8	2,079	239	368.0	2,589	231	8.92%	24.53%	471.6	2,813	255	9.07%	8.65%	426.3
Stanton	5	1,811	1727	287.8	1,556	141	283.0	2,489	166	6.67%	59.96%	464.6	2,687	284	10.57%	7.96%	480.6
Capital Trial Br.²	7	N/A	N/A	N/A	10	N/A	N/A	15	N/A	N/A	50.00%	N/A	17	N/A	N/A	13.33%	N/A
TOTAL	227	85,081	86,422	428.7	93,392	2,927	420.8	101,311	2,378	2.35%	8.48%	435.8	112,610	2,679	2.38%	11.15%	484.3

*Attys authorized 06/30/03 - #s from Master Personnel List (includes added caseload reduction attys)

**in addition to the attys counted, office has 1 atty whose caseload is limited to capital conflict cases.

1. Lexington and Louisville's workload numbers also include post-trial cases handled internally by those offices. These are included to provide a clearer assessment of individual attorneys' workloads.
2. The Capital Trial Branch is included to recognize the services of its attorneys and staff, but its cases are excluded from "avg. cases/atty" comparison analysis due to their length and complexity.
3. Murray acquired responsibility for a new county in the 4th Quarter of FY 02 and was allotted only 2 attys until very late in FY 02, creating artificially low case/atty avgs that have stabilized in FY 03.

4. Lexington or Louisville prior year conflict #s not reported. Atty avg. estimates remove the DPA avg. conflict % from each office's case totals. Conflict cases are included in the caseload #s (but not atty avgs.) for all offices.
5. The Bullitt County Office did not become a full-time DPA office until FY 03. Therefore, Bullitt numbers added here slightly inflate the reported increase in total caseload compared to FY 02, since the Bullitt office did not appear on this chart in FY 02. If the Bullitt County cases are removed from this analysis, the percent change in total caseload would be reduced to 10.06%.

FIELD OFFICE WORKLOAD - RANKED BY FY 03 ATTORNEY AVERAGES, Fiscal Year 1999 Through Fiscal Year 2003 - Fourth Quarter -Final

OFFICE	ATTYs*	FY 99 Cases	FY 00 Cases	FY 00 AVG cases/atty	FY01 Cases	FY 01 Conflict Cases	FY 01 AVG cases/atty	FY 02 Cases	FY02 Conflict Cases	Conflict % of Total Cases	% change in total caseload	FY 02 AVG cases/atty	FY 03 Cases	FY03 Conflict Cases	Conflict % of Total Cases	% change in total caseload ⁵	FY 03 AVG cases/atty
Elizabethtown**	10	2,175	4297	537.1	5,550	96	606.0	5,710	67	1.17%	2.88%	564.3	6,447	85	1.32%	12.91%	636.2
Frankfort	5	1,508	1662	554.0	2,441	23	483.6	2,824	22	0.78%	15.69%	560.4	3,095	15	0.48%	9.60%	616.0
Henderson	5	1,854	2662	532.4	2,399	33	591.5	2,349	35	1.49%	-2.08%	462.8	2,989	28	0.94%	27.25%	592.2
Hazard	8	3,900	3593	513.3	3,576	61	502.1	3,756	71	1.89%	5.03%	460.6	4,675	61	1.30%	24.47%	576.8
Hopkinsville	9	3,623	3824	546.3	4,434	181	472.6	5,244	202	3.85%	18.27%	560.2	5,342	158	2.96%	1.87%	576.0
LaGrange	3	998	861	287.0	1,288	44	414.7	1,512	43	2.84%	17.39%	489.7	1,773	71	4.00%	17.26%	567.3
Bullitt County	2	0	0	N/A	0	0	N/A	0	0	N/A	N/A	N/A	1,103	0	0.00%	N/A	551.5
London	7	2,888	2686	383.7	3,549	242	472.4	3,516	146	4.15%	-0.93%	481.4	4,018	274	6.82%	14.28%	534.9
Bell County	4	1,771	1605	321.0	1,809	16	448.3	2,236	15	0.67%	23.60%	555.3	2,120	9	0.42%	-5.19%	527.8
Paducah	9	4,422	4688	520.9	4,970	139	603.9	5,039	147	2.92%	1.39%	543.6	4,832	124	2.57%	-4.11%	523.1
Columbia	6	1,866	2907	581.4	2,879	152	545.4	3,052	58	1.90%	6.01%	499.0	3,135	65	2.07%	2.72%	511.7
Madisonville	4	1,579	1750	350.0	2,044	60	496.0	2,009	67	3.33%	-1.71%	485.5	2,119	81	3.82%	5.48%	509.5
Louisville ¹	51	31,390	24495	471.1	22,324	N/A	405.9 ⁴	23,763	N/A	N/A	6.45%	421.9 ⁴	25,981	78	0.30%	9.33%	507.9
Morehead	9	2,744	2846	406.6	4,251	240	445.7	4,695	130	2.77%	10.44%	507.2	4,670	100	2.14%	-0.53%	507.8
Danville**	5	596	1011	337.0	1,746	141	321.0	2,347	197	8.39%	34.42%	430.0	2,762	268	9.70%	17.68%	498.8
Covington	8	3,680	3121	346.8	2,995	61	366.8	3,115	60	1.93%	4.01%	381.9	4,022	85	2.11%	29.12%	492.1
Stanton	5	1,811	1727	287.8	1,556	141	283.0	2,489	166	6.67%	59.96%	464.6	2,687	284	10.57%	7.96%	480.6
Paintsville	3	641	964	321.3	1,091	18	357.7	1,151	31	2.69%	5.50%	373.3	1,437	36	2.51%	24.85%	467.0
Murray	6	0	0	N/A	590	2	588.0	847	10	1.18%	43.56%	139.5 ³	2,747	70	2.55%	224.32%	446.2
Bowling Green	9	0	3370	842.5	3,843	613	358.9	3,951	231	5.85%	2.81%	413.3	4,065	137	3.37%	2.89%	436.4
Catlettsburg	2	759	694	347.0	740	2	369.0	771	9	1.17%	4.19%	381.0	866	1	0.12%	12.32%	432.5
Richmond	7	2,492	2672	334.0	2,687	260	346.7	3,164	244	7.71%	17.75%	417.1	3,217	220	6.84%	1.68%	428.1
Pikeville	6	2,116	2147	306.7	2,411	30	396.8	2,692	45	1.67%	11.65%	441.2	2,598	40	1.54%	-3.49%	426.3
Somerset	6	1,881	2074	414.8	2,079	239	368.0	2,589	231	8.92%	24.53%	471.6	2,813	255	9.07%	8.65%	426.3
Maysville	5	0	1118	372.7	1,836	112	574.7	1,921	119	6.19%	4.63%	450.5	2,219	88	3.97%	15.51%	426.2
Lexington ¹	18	6,883	6746	396.8	6,863	N/A	381.3 ⁴	7,087	N/A	N/A	3.26%	384.4 ⁴	7,565	11	0.15%	6.74%	419.7
Owensboro	8	3,504	2902	725.5	3,431	21	426.3	3,467	32	0.92%	1.05%	429.4	3,296	35	1.06%	-4.93%	407.6
Capital Trial Br. ²	7	N/A	N/A	N/A	10	N/A	N/A	15	N/A	N/A	50.00%	N/A	17	N/A	N/A	13.33%	N/A
TOTAL	227	85,081	86,422	428.7	93,392	2,927	420.8	101,311	2,378	2.35%	8.48%	435.8	112,610	2,679	2.38%	11.15%	484.3

*Attys authorized 06/30/03 - #s from Master Personnel List (includes added caseload reduction attys)

**in addition to the attys counted, office has 1 atty whose caseload is limited to capital conflict cases.

1. Lexington and Louisville's workload numbers also include post-trial cases handled internally by those offices. These are included to provide a clearer assessment of individual attorneys' workloads.

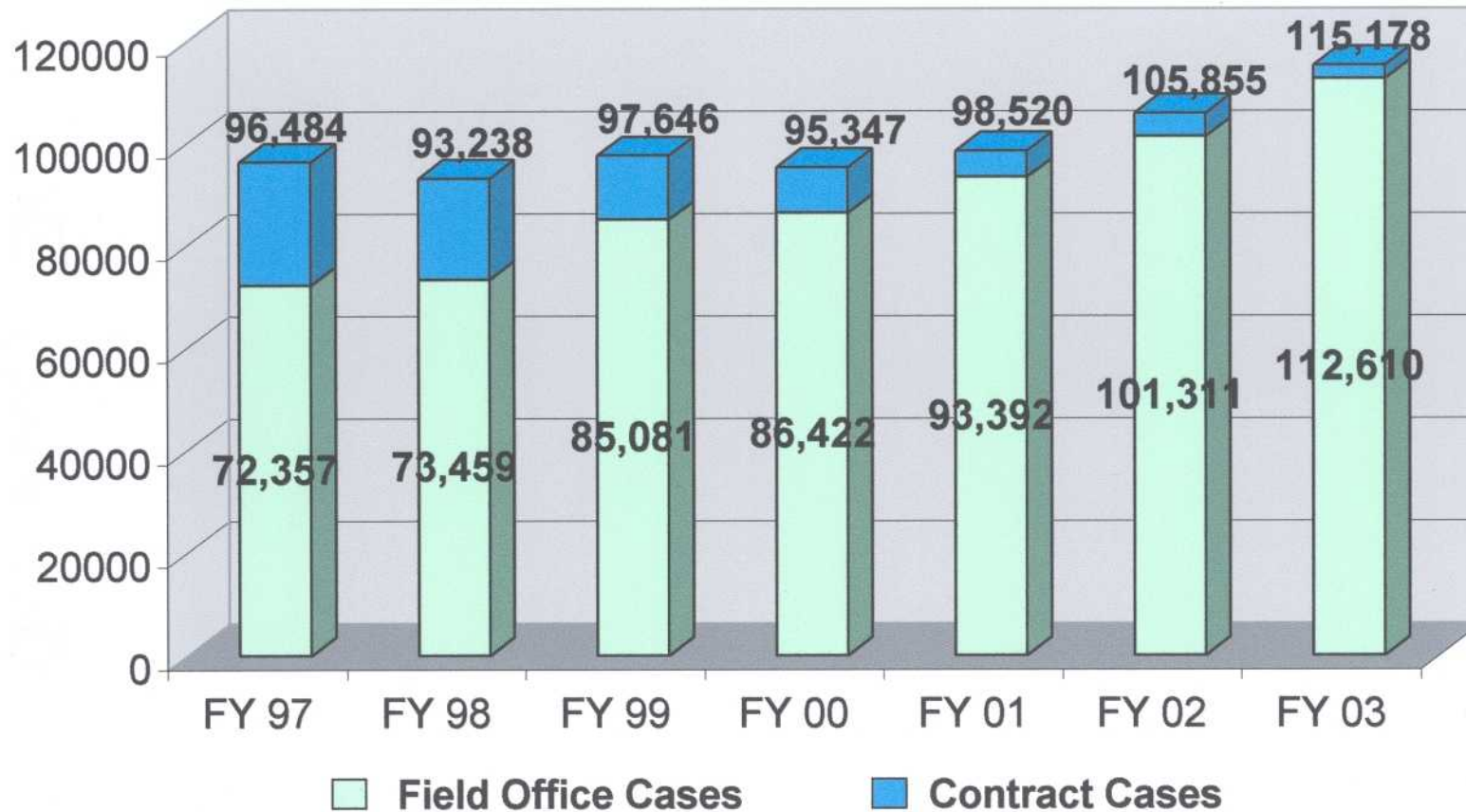
2. The Capital Trial Branch is included to recognize the services of its attorneys and staff, but its cases are excluded from "avg. cases/atty" comparison analysis due to their length and complexity.

3. Murray acquired responsibility for a new county in the 4th Quarter of FY 02 and was allotted only 2 attys until very late in FY 02, creating artificially low case/atty avgs that have stabilized in FY 03.

4. Lexington or Louisville prior year conflict #s not reported. Atty avg. estimates remove the DPA avg. conflict % from each office's case totals. Conflict cases are included in the caseload #s (but not atty avgs.) for all offices.

5. The Bullitt County Office did not become a full-time DPA office until FY 03. Therefore, Bullitt numbers added here slightly inflate the reported increase in total caseload compared to FY 02, since the Bullitt office did not appear on this chart in FY 02. If the Bullitt County cases are removed from this analysis, the percent change in total caseload would be reduced to 10.06%.

Trial Division Workload: Field Office and Contract Cases



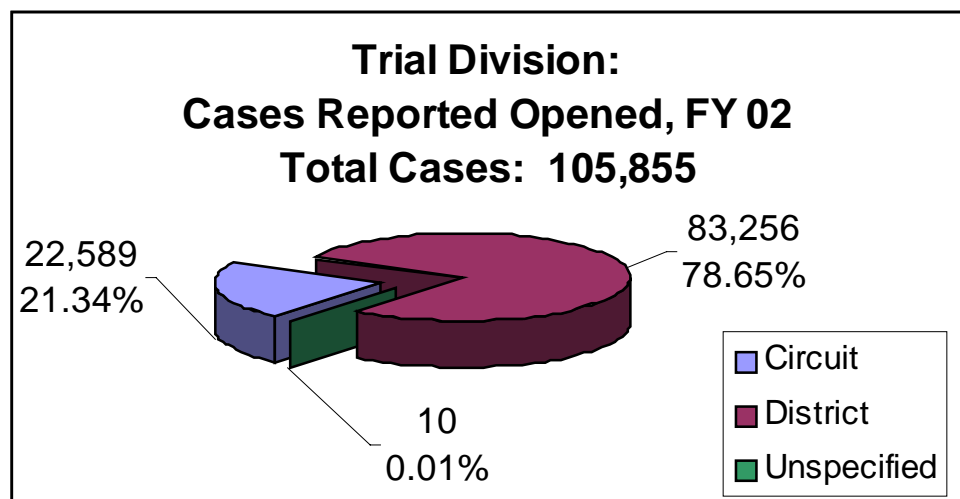
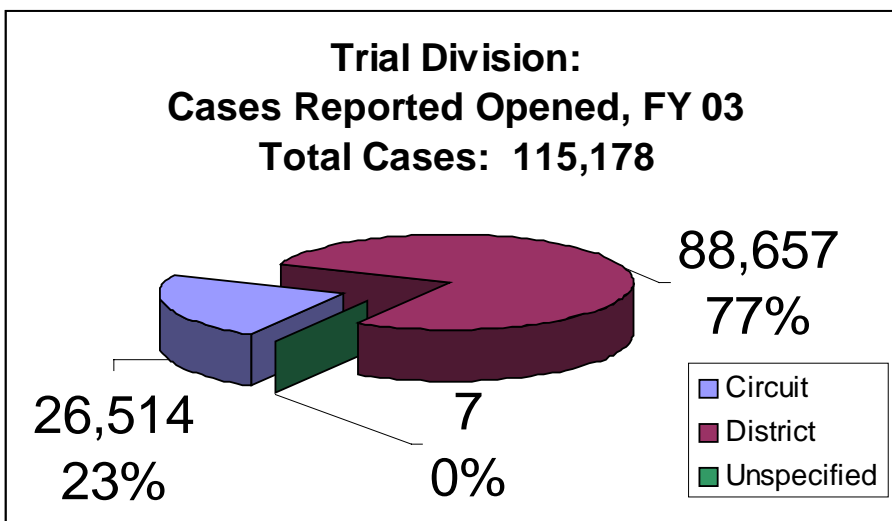
* Numbers listed at top are grand total of field office and contract cases combined. Lower numbers are field office totals only.

DPA Trial Division Cases Reported Opened FY 03

- ◆ Trial cases increased by 8.80% from FY 02, rising from 105,855 to 115,178 cases.
- ◆ Of the 115,178 cases: 23.02% were Circuit Court cases
 76.97% were District Court cases.
- ◆ In FY 03, the trend is continuing toward a greater percentage of DPA trial cases being opened in Circuit Court each year. Since FY 02, a higher percentage of cases could be identified by court type compared to previous years due to improved data entry and collection methods.

	<u>Circuit</u>	<u>District</u>
FY 03	23.02%	76.97%
FY 02	21.34%	78.65%
FY 01	21.17%	78.66%
FY 00	20.77%	79.10%
FY 99	19.44%	80.10%
FY 98	17.73%	82.27%
FY 97	16.42%	83.58%

- ◆ The actual number of cases opened in District Court has generally increased during this same period. It has simply increased at a slower rate than the Circuit Court caseload.



DPA Trial Division Cases Reported Opened: FY 03 Fourth Quarter

County	Circuit	Circ. %	District	Dist. %	Other	Other %	Total
ADAIR	134	27.52%	353	72.48%			487
ALLEN	157	73.71%	56	26.29%			213
ANDERSON	102	29.74%	241	70.26%			343
BALLARD	101	32.69%	208	67.31%			309
BARREN	319	86.45%	50	13.55%			369
BATH	57	15.70%	305	84.02%	1	0.28%	363
BELL	342	24.39%	1,060	75.61%			1,402
BOONE	131	29.05%	320	70.95%			451
BOURBON	85	15.77%	454	84.23%			539
BOYD	146	16.86%	720	83.14%			866
BOYLE	122	19.77%	495	80.23%			617
BRACKEN	43	17.00%	209	82.61%	1	0.40%	253
BREATHITT	76	10.44%	652	89.56%			728
BRECKINRIDGE	176	31.43%	384	68.57%			560
BULLITT	153	14.81%	879	85.09%	1	0.10%	1,033
BUTLER	105	35.84%	188	64.16%			293
CALDWELL	139	55.38%	112	44.62%			251
CALLOWAY	216	34.18%	416	65.82%			632
CAMPBELL	293	25.75%	845	74.25%			1,138
CARLISLE	21	26.25%	59	73.75%			80
CARROLL	123	45.72%	146	54.28%			269
CARTER	89	11.40%	692	88.60%			781
CASEY	107	32.33%	224	67.67%			331
CHRISTIAN	821	22.24%	2,870	77.76%			3,691
CLARK	296	33.45%	589	66.55%			885
CLAY	138	18.47%	609	81.53%			747
CLINTON	113	42.16%	155	57.84%			268
CRITTENDEN	61	23.74%	196	76.26%			257
CUMBERLAND	39	27.66%	102	72.34%			141
DAVISS	627	24.27%	1,956	75.73%			2,583

County	Circuit	Circ. %	District	Dist. %	Other	Other %	Total
EDMONSON	68	40.96%	98	59.04%			166
ELLIOTT	32	17.39%	152	82.61%			184
ESTILL	45	10.59%	380	89.41%			425
FAYETTE	2,729	36.54%	4,739	63.46%			7,468
FLEMING	86	24.02%	272	75.98%			358
FLOYD	186	17.55%	874	82.45%			1,060
FRANKLIN	331	33.84%	647	66.16%			978
FULTON	153	39.13%	238	60.87%			391
GALLATIN	70	34.48%	133	65.52%			203
GARRARD	56	16.87%	276	83.13%			332
GRANT	35	24.82%	106	75.18%			141
GRAVES	337	21.13%	1,258	78.87%			1,595
GRAYSON	156	32.50%	324	67.50%			480
GREEN	53	19.56%	218	80.44%			271
GREENUP	197	30.08%	458	69.92%			655
HANCOCK	45	26.47%	125	73.53%			170
HARDIN	577	16.36%	2,950	83.64%			3,527
HARLAN	345	48.05%	373	51.95%			718
HARRISON*	19	61.29%	12	38.71%			31
HART	102	20.90%	386	79.10%			488
HENDERSON	388	19.50%	1,602	80.50%			1,990
HENRY	78	20.97%	294	79.03%			372
HICKMAN	55	35.71%	99	64.29%			154
HOPKINS	341	22.95%	1,145	77.05%			1,486
JACKSON	45	16.01%	236	83.99%			281
JEFFERSON	3,560	13.70%	22,421	86.30%			25,981
JESSAMINE	168	16.73%	836	83.27%			1,004
JOHNSON	110	16.82%	544	83.18%			654
KENTON	1,199	31.40%	2,619	68.58%	1	0.03%	3,819
KNOTT	81	21.32%	299	78.68%			380
KNOX	146	17.72%	678	82.28%			824
LARUE	42	12.65%	290	87.35%			332
LAUREL	335	22.57%	1,149	77.43%			1,484

County	Circuit	Circ. %	District	Dist. %	Other	Other %	Total
LAWRENCE	80	27.49%	211	72.51%			291
LEE	61	21.40%	224	78.60%			285
LESLIE	40	15.21%	223	84.79%			263
LETCHER	277	22.41%	959	77.59%			1,236
LEWIS	69	21.77%	248	78.23%			317
LINCOLN	62	17.42%	294	82.58%			356
LIVINGSTON	63	24.90%	190	75.10%			253
LOGAN	294	54.34%	247	45.66%			541
LYON	83	40.69%	121	59.31%			204
MCCRACKEN	580	14.92%	3,307	85.08%			3,887
MCCREARY	130	21.67%	470	78.33%			600
MCLEAN	76	60.80%	49	39.20%			125
MADISON	422	26.16%	1,191	73.84%			1,613
MAGOFFIN	49	13.57%	312	86.43%			361
MARION	148	32.39%	309	67.61%			457
MARSHALL	212	40.08%	317	59.92%			529
MARTIN	48	29.63%	114	70.37%			162
MASON	246	23.52%	798	76.29%	2	0.19%	1,046
MEADE	178	32.60%	368	67.40%			546
MENIFEE	42	13.77%	263	86.23%			305
MERCER	81	17.88%	371	81.90%	1	0.22%	453
METCALFE	80	42.55%	108	57.45%			188
MONROE	73	27.76%	190	72.24%			263
MONTGOMERY	283	29.95%	662	70.05%			945
MORGAN	62	15.70%	333	84.30%			395
MUHLENBERG	277	54.21%	234	45.79%			511
NELSON	214	42.13%	294	57.87%			508
NICHOLAS*	14	20.90%	53	79.10%			67
OHIO	149	27.44%	394	72.56%			543
OLDHAM	79	19.13%	334	80.87%			413
OWEN	50	26.88%	136	73.12%			186
OWSLEY	43	15.58%	233	84.42%			276
PENDLETON	31	14.49%	183	85.51%			214

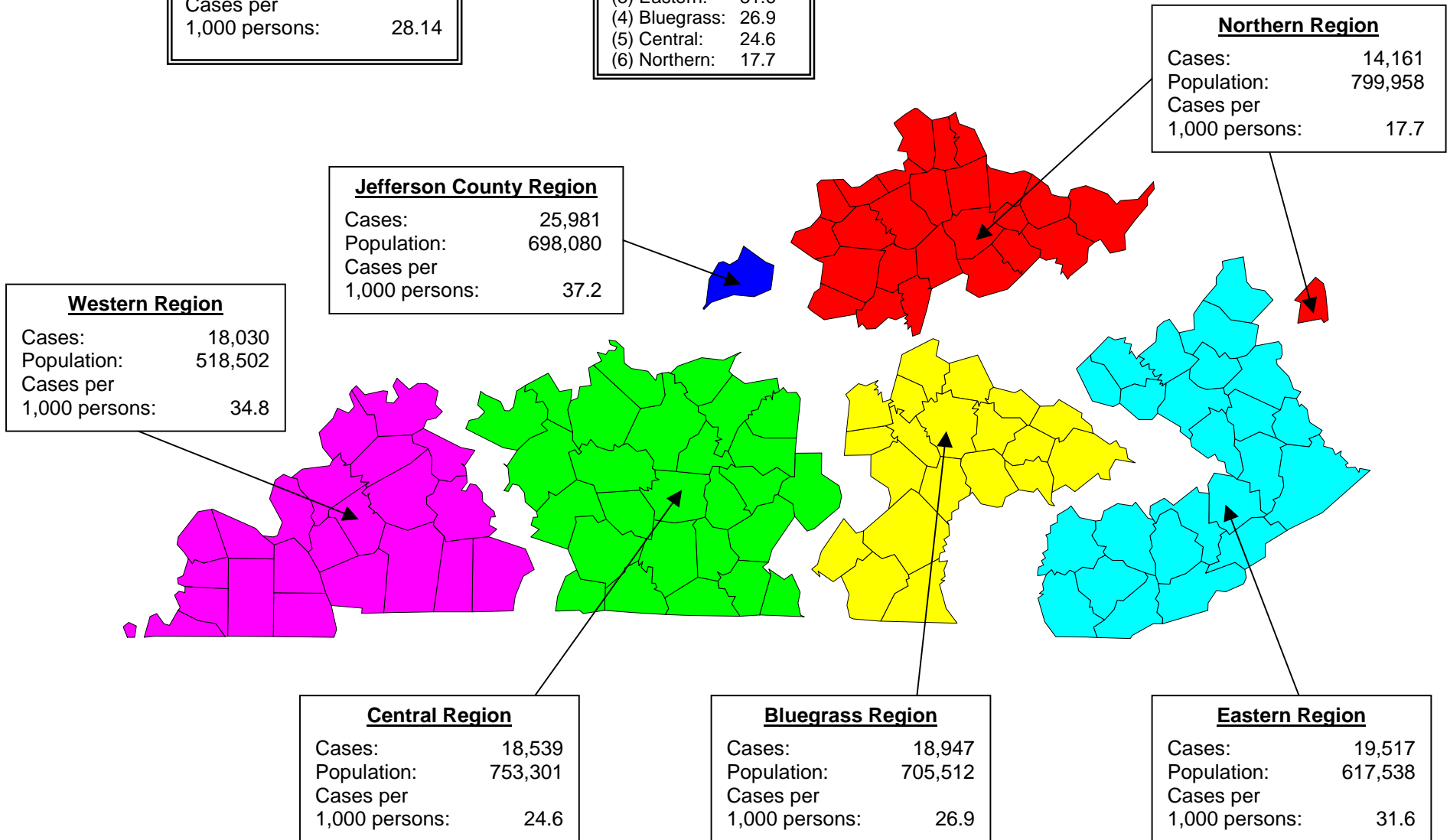
County	Circuit	Circ. %	District	Dist. %	Other	Other %	Total
PERRY	234	7.62%	2,836	92.38%			3,070
PIKE	267	17.74%	1,238	82.26%			1,505
POWELL	123	18.44%	544	81.56%			667
PULASKI	455	38.86%	716	61.14%			1,171
ROBERTSON	4	8.00%	46	92.00%			50
ROCKCASTLE	94	21.46%	344	78.54%			438
ROWAN	166	15.95%	875	84.05%			1,041
RUSSELL	80	16.46%	406	83.54%			486
SCOTT	158	24.46%	488	75.54%			646
SHELBY	157	19.41%	652	80.59%			809
SIMPSON	194	62.38%	117	37.62%			311
SPENCER	27	27.84%	70	72.16%			97
TAYLOR	206	27.39%	546	72.61%			752
TODD	130	54.62%	108	45.38%			238
TRIGG	50	29.94%	117	70.06%			167
TRIMBLE	28	18.30%	125	81.70%			153
UNION	131	29.37%	315	70.63%			446
UNKNOWN COUNTY	2	66.67%	1	33.33%			3
WARREN	1,358	44.03%	1,726	55.97%			3,084
WASHINGTON	86	49.14%	89	50.86%			175
WAYNE	175	31.47%	381	68.53%			556
WEBSTER	46	15.70%	247	84.30%			293
WHITLEY	129	18.67%	562	81.33%			691
WOLFE	39	12.75%	267	87.25%			306
WOODFORD	77	19.15%	325	80.85%			402
TOTALS	26,514	23.02%	88,657	76.97%	7	0.01%	115,178

* Complete figures not available because contract attorney case submissions were incomplete as of the date of this report.

Trial Division Case and Population Totals with Average Number of Cases per 1,000 Population*

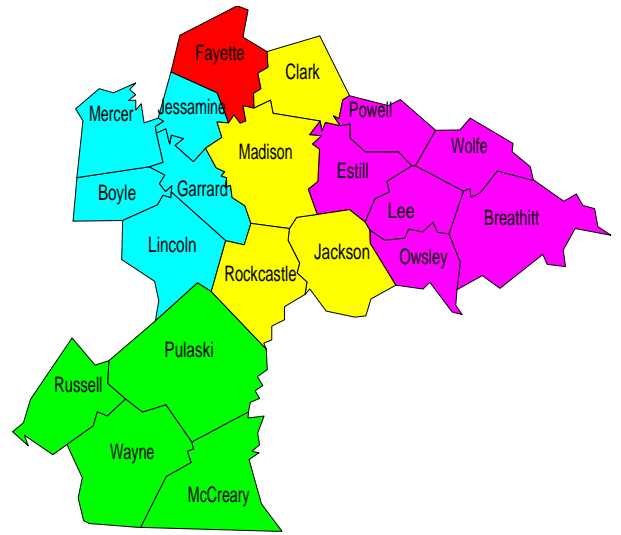
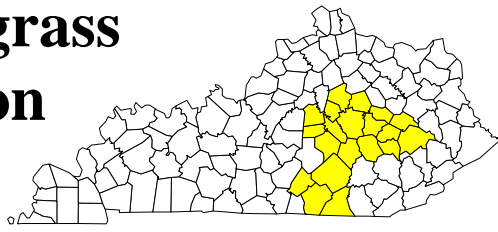
<u>Trial Division Totals</u>	
Cases:	115,178
Population:	4,092,891
Cases per 1,000 persons:	28.14

<u>Case Rate Rankings:</u>	
(1) Jefferson:	37.2
(2) Western:	34.8
(3) Eastern:	31.6
(4) Bluegrass:	26.9
(5) Central:	24.6
(6) Northern:	17.7

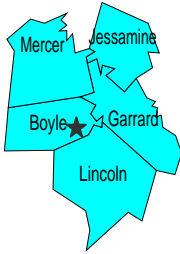


*Regional case totals do not include 3 cases where the county (and thus the region) was unknown. All population data derived from: Population Division, U.S. Census Bureau; Table CO-EST2002-01-21 - Kentucky County Population Estimates: April 1, 2000 to July 1, 2002 (Release Date: April 17, 2003).

Bluegrass Region



Population: 705,512
Poverty Rate: 15.1%
Unemployment: 5.6%
Less than high school diploma: 26.0%
Total Cases: 18,947
Cases per 1,000 persons: 26.9



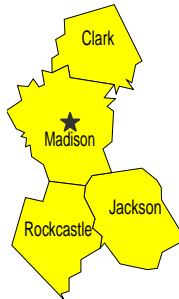
Danville

Population: 129,325
Poverty Rate: 13.2%
Unemployment: 5.0%
Less than h.s. diploma: 25.9%
Total Cases: 2,762
Cases per 1,000 persons: 21.4



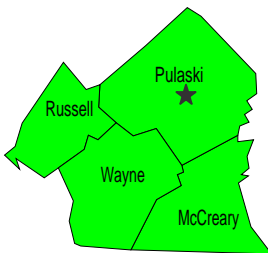
Lexington

Population: 263,618
Poverty Rate: 11.1%
Unemployment: 3.5%
Less than h.s. diploma: 14.2%
Total Cases: 7,468
Cases per 1,000 persons: 28.3



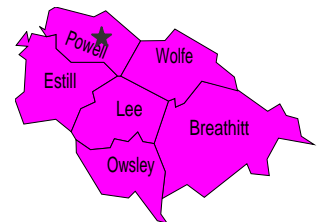
Richmond

Population: 137,621
Poverty Rate: 15.2%
Unemployment: 5.3%
Less than h.s. diploma: 29.4%
Total Cases: 3,217
Cases per 1,000 persons: 23.4



Somerset

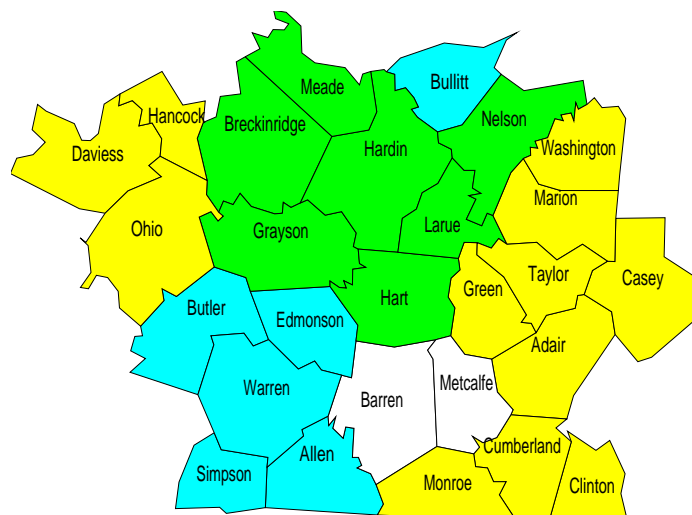
Population: 110,870
Poverty Rate: 20.7%
Unemployment: 8.1%
Less than h.s. diploma: 38.3%
Total Cases: 2,813
Cases per 1,000 persons: 25.4



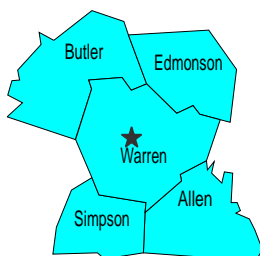
Stanton

Population: 64,078
Poverty Rate: 25.5%
Unemployment: 11.2%
Less than h.s. diploma: 44.4%
Total Cases: 2,687
Cases per 1,000 persons: 41.9

Local on



753,301
13.8%
6.1%
27.1%
18,539
24.6



Population:	154,565
Poverty Rate:	13.6%
Unemployment:	5.7%
Less than h.s. diploma:	25.7%
Total Cases:	4,067
Cases per 1,000 persons:	26.3



Population:	63,800
Poverty Rate:	8.6%
Unemployment:	5.7%
Less than h.s. diploma:	24.0%
Total Cases:	1,033
Cases per 1,000 persons:	16.2



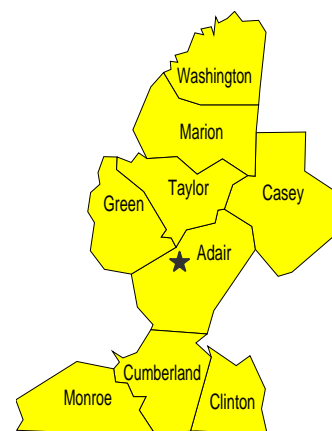
Barren County

Population:	38,749
Poverty Rate:	14.9%
Unemployment:	4.3%
Less than h.s. diploma:	30.5%
Total Cases:	369
Cases per 1,000 persons:	9.5



Metcalfe County

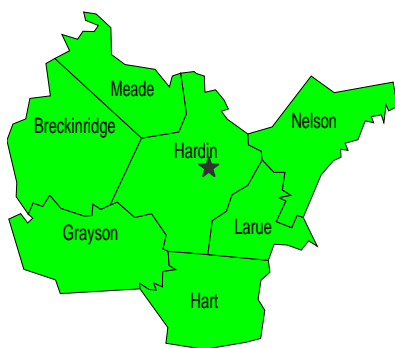
Population:	10,046
Poverty Rate:	19.5%
Unemployment:	4.2%
Less than h.s. diploma:	42.0%
Total Cases:	188
Cases per 1,000 persons:	18.7



Population:	126,215
Poverty Rate:	19.0%
Unemployment:	6.0%
Less than h.s. diploma:	37.4%
Total Cases:	3,145
Cases per 1,000 persons:	24.9

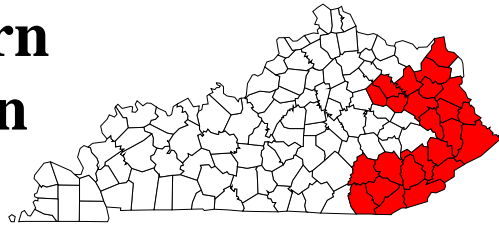


Population:	123,539
Poverty Rate:	12.7%
Unemployment:	6.2%
Less than h.s. diploma:	22.1%
Total Cases:	3,296
Cases per 1,000 persons:	26.7

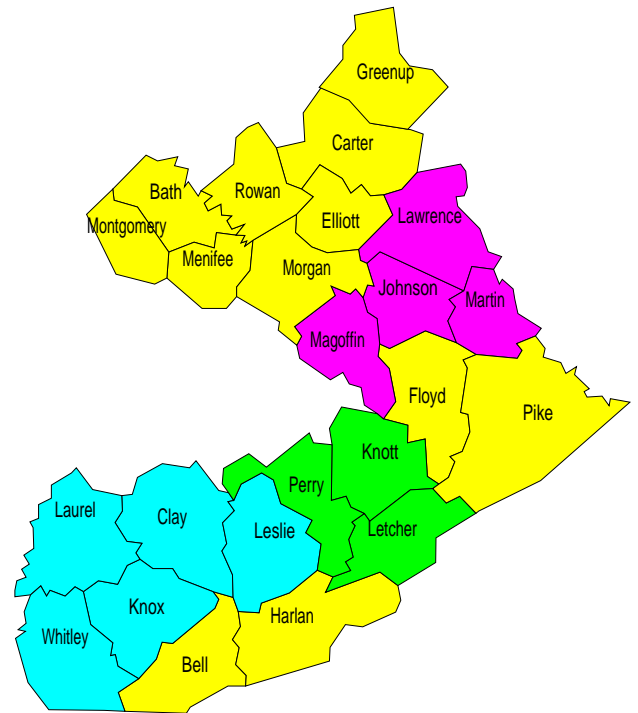


Population:	236,387
Poverty Rate:	12.8%
Unemployment:	6.9%
Less than h.s. diploma:	24.5%
Total Cases:	6,441
Cases per 1,000 persons:	27.2

Eastern Region

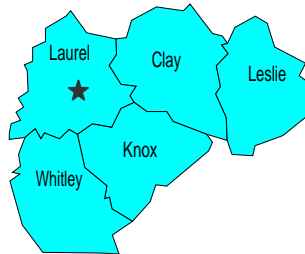


Population: 617,538
Poverty Rate: 22.5%
Unemployment: 7.3%
Less than high school diploma: 39.2%
Total Cases: 19,517
Cases per 1,000 persons: 31.6



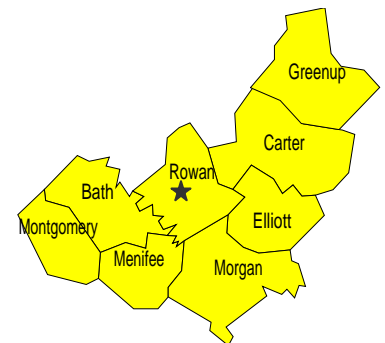
Bell County (Pineville)

Population: 62,699
Poverty Rate: 25.7%
Unemployment: 9.1%
Less than h.s. diploma: 42.3%
Total Cases: 2,120
Cases per 1,000 persons: 33.8



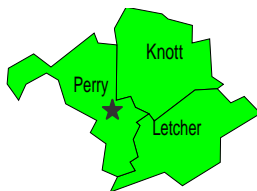
London

Population: 159,335
Poverty Rate: 23.8%
Unemployment: 7.2%
Less than h.s. diploma: 41.9%
Total Cases: 4,009
Cases per 1,000 persons: 25.2



Morehead

Population: 148,414
Poverty Rate: 18.6%
Unemployment: 7.2%
Less than h.s. diploma: 33.0%
Total Cases: 4,669
Cases per 1,000 persons: 31.5

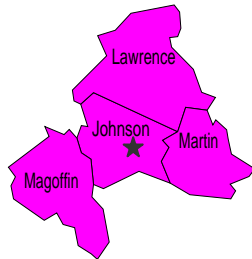
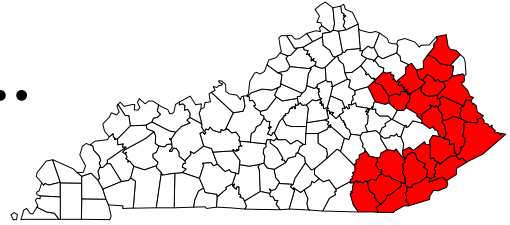


Hazard

Population: 72,034
Poverty Rate: 23.9%
Unemployment: 7.4%
Less than h.s. diploma: 41.5%
Total Cases: 4,686
Cases per 1,000 persons: 65.05

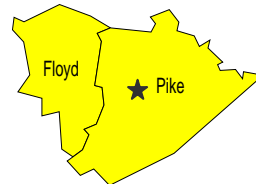
Eastern Region Continued next page...

Eastern Region Continued...



Paintsville

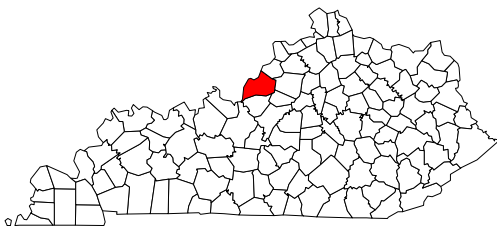
Population:	65,027
Poverty Rate:	24.9%
Unemployment:	8.0%
Less than h.s. diploma:	42.1%
Total Cases:	1,468
Cases per 1,000 persons:	22.6



Pikeville

Population:	110,029
Poverty Rate:	21.9%
Unemployment:	5.9%
Less than h.s. diploma:	38.4%
Total Cases:	2,565
Cases per 1,000 persons:	23.3

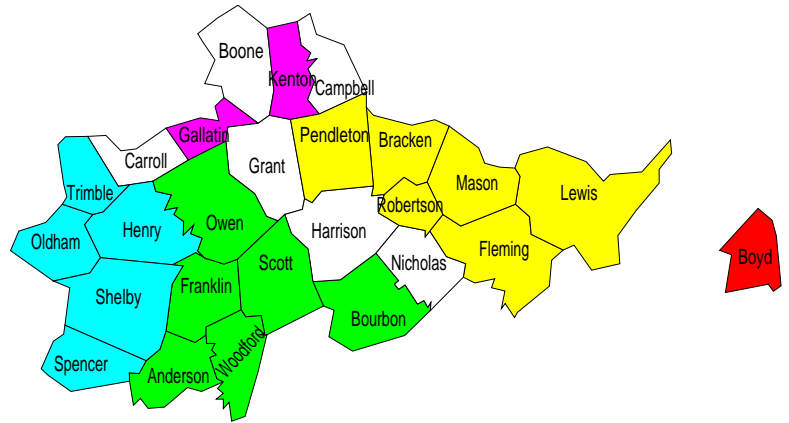
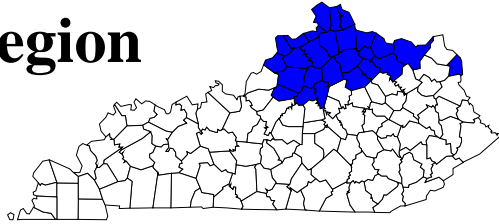
Jefferson County Region



Louisville

Population:	698,080
Poverty Rate:	11.5%
Unemployment:	5.6%
Less than h.s. diploma:	18.2%
Total Cases:	25,981
Cases per 1,000 persons:	37.2

Northern Region

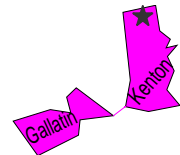


Population: 799,958
Poverty Rate: 10.2%
Unemployment: 4.4%
Less than high school diploma: 21.2%
Total Cases: 14,161
Cases per 1,000 persons: 17.7



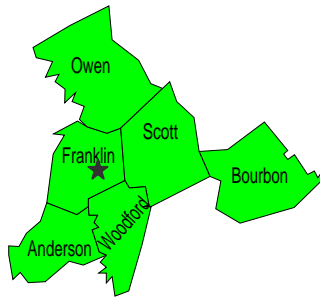
Catlettsburg

Population: 49,603
Poverty Rate: 15.3%
Unemployment: 5.4%
Less than h.s. diploma: 22.0%
Total Cases: 866
Cases per 1,000 persons: 17.5



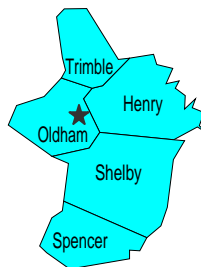
Covington

Population: 160,000
Poverty Rate: 9.3%
Unemployment: 4.0%
Less than h.s. diploma: 18.6%
Total Cases: 4,022
Cases per 1,000 persons: 25.1



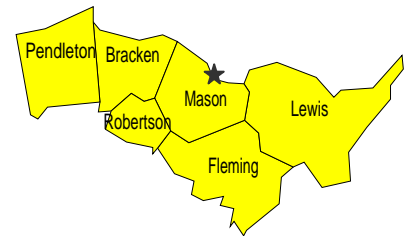
Frankfort

Population: 156,997
Poverty Rate: 9.9%
Unemployment: 4.1%
Less than h.s. diploma: 21.3%
Total Cases: 3,094
Cases per 1,000 persons: 19.7



LaGrange

Population: 121,997
Poverty Rate: 8.2%
Unemployment: 3.9%
Less than h.s. diploma: 19.7%
Total Cases: 1,844
Cases per 1,000 persons: 15.1

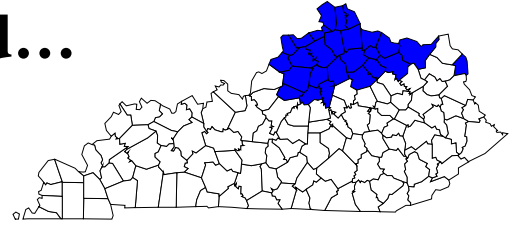


Maysville

Population: 70,611
Poverty Rate: 16.7%
Unemployment: 6.0%
Less than h.s. diploma: 32.2%
Total Cases: 2,238
Cases per 1,000 persons: 31.7

Northern Region continued next page...

Northern Region Continued...



CONTRACT COUNTY



Boone County

Population: 93,290
 Poverty Rate: 6.1%
 Unemployment: 3.6%
 Less than h.s. diploma: 14.9%
 Total Cases: 451
 Cases per 1,000 persons: 4.8

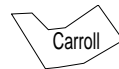
CONTRACT COUNTY



Campbell County

Population: 88,604
 Poverty Rate: 9.3%
 Unemployment: 3.8%
 Less than h.s. diploma: 19.2%
 Total Cases: 1,138
 Cases per 1,000 persons: 12.8

CONTRACT COUNTY



Carroll County

Population: 10,223
 Poverty Rate: 14.4%
 Unemployment: 8.6%
 Less than h.s. diploma: 31.9%
 Total Cases: 269
 Cases per 1,000 persons: 26.3

CONTRACT COUNTY



Grant County

Population: 23,620
 Poverty Rate: 11.8%
 Unemployment: 5.4%
 Less than h.s. diploma: 27.6%
 Total Cases: 141
 Cases per 1,000 persons: 6.0

CONTRACT COUNTY



Harrison County

Population: 18,079
 Poverty Rate: 12.2%
 Unemployment: 7.0%
 Less than h.s. diploma: 25.8%
 Total Cases: 31
 Cases per 1,000 persons: 1.7

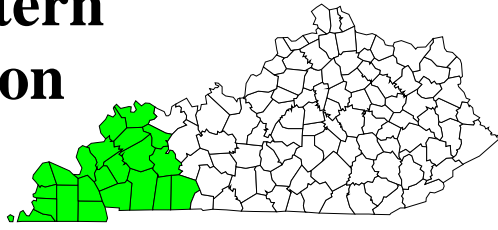
CONTRACT COUNTY



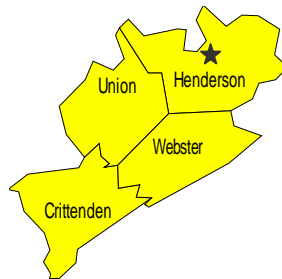
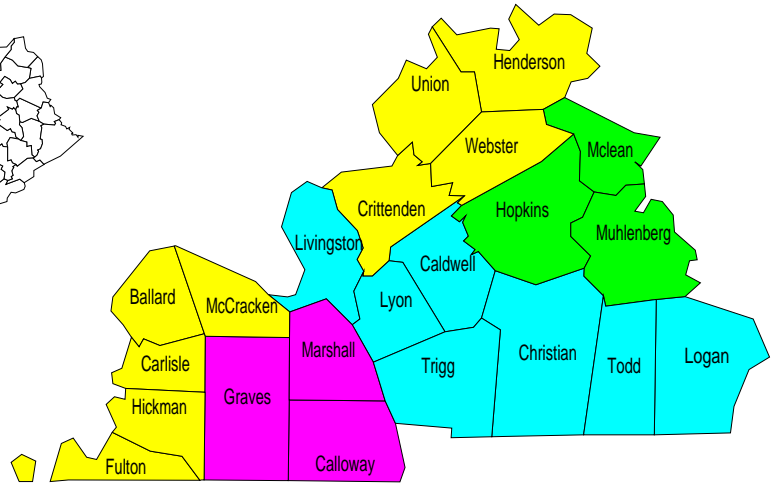
Nicholas County

Population: 6,934
 Poverty Rate: 14.1%
 Unemployment: 9.6%
 Less than h.s. diploma: 37.1%
 Total Cases: 67
 Cases per 1,000 persons: 9.7

Western Region

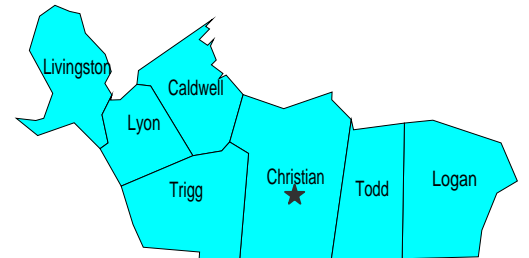


Population: 518,502
Poverty Rate: 14.1%
Unemployment: 6.5%
Less than high school diploma: 25.8%
Total Cases: 18,030
Cases per 1,000 persons: 34.8



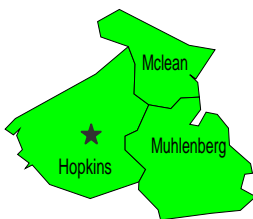
Henderson

Population: 83,859
Poverty Rate: 13.3%
Unemployment: 6.3%
Less than h.s. diploma: 24.5%
Total Cases: 2,986
Cases per 1,000 persons: 35.6



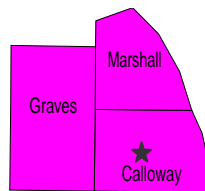
Hopkinsville

Population: 153,657
Poverty Rate: 14.3%
Unemployment: 6.2%
Less than h.s. diploma: 27.1%
Total Cases: 5,345
Cases per 1,000 persons: 34.8



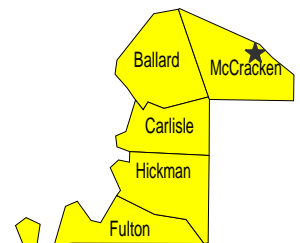
Madisonville

Population: 88,337
Poverty Rate: 15.5%
Unemployment: 7.1%
Less than h.s. diploma: 30.7%
Total Cases: 2,122
Cases per 1,000 persons: 24.0



Murray

Population: 101,878
Poverty Rate: 12.9%
Unemployment: 7.3%
Less than h.s. diploma: 24.1%
Total Cases: 2,756
Cases per 1,000 persons: 27.1



Paducah

Population: 90,771
Poverty Rate: 14.4%
Unemployment: 5.8%
Less than h.s. diploma: 22.3%
Total Cases: 4,821
Cases per 1,000 persons: 53.1

SOURCE DATA AND COMPILATION METHODOLOGY

Department of Public Advocacy Defender Caseload Report- FY 03: Tab 4

- (1) **Population:** Population Division, U.S. Census Bureau; Table CO-EST2002-01-21 – Kentucky County Population Estimates: April 1, 2000 to July 1, 2002 (Release Date: April 17, 2003).
- (2) **Poverty:** U.S. Census Bureau, Housing and Household Economic Statistics Division, Small Area Estimates Branch. Table A99-21. "Estimated Number and Percent People of All Ages in Poverty by County: Kentucky 1999". Last revised: October 29, 2002.
- (3) **Unemployment:** U.S. Department of Labor: Bureau of Labor Statistics - "Labor Force Data by County, 2002 Annual Averages."
- (4) **Education:** Census 2000 Summary File 3 (SF 3) - Sample Data. Table P37: Sex by Educational Attainment for the Population 25 Years and Over

For each Trial Division Region or Field Office, the population totals for each relevant county were combined to achieve the total. Poverty, unemployment, and educational data were derived by weighting the statistics from each included county according to the county population. For example, a county with an unemployment rate of 10% and a population of 10,000 people would have twice as much influence on a field office or regional total than a county with the same unemployment rate but a population of only 5,000 people. This method more accurately represents the situation for the average person in that total area (particularly compared to what could be derived from a simple average of all the county rates). Put another way, 10% unemployment would hurt more people in Jefferson County (the most populous county) than it would in Robertson County (the least populous county), and all listed rates reflect this fact accordingly.

The Census Bureau table used for educational data broke the education groups down into much more specific categories than those listed here. A high school diploma was considered by DPA LOPS staff to be the best individual measurement. Thus, all population totals for educational attainment of less than a high school diploma were combined in each county to derive the percentage (compared to overall adult population 25 or above) used in these charts.

DPA Trial Division Capital, Juvenile, and Involuntary Commitment Cases Reported Opened FY 02-03

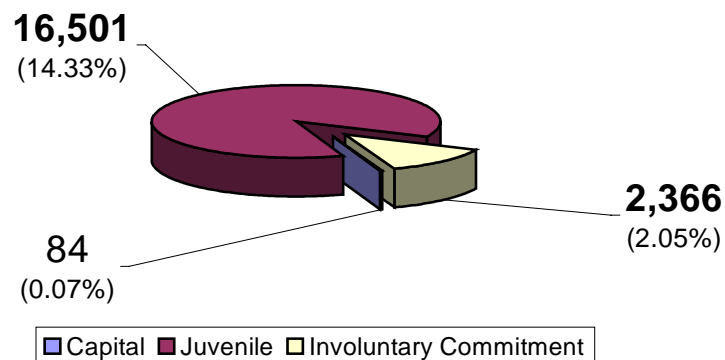
Cases Reported Opened in FY 03:

Capital Eligible:	84
Juvenile:	16,501
Involuntary Commitment:	2,366

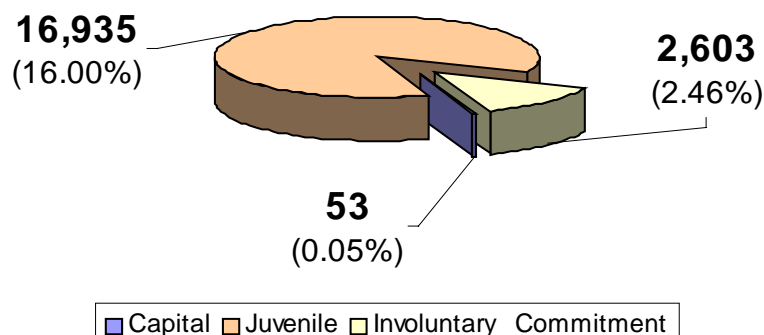
Juvenile Caseload Trends:

	<u>Cases</u>	<u>% Trial Caseload</u>
FY 03:	16,501	14.33%
FY 02:	16,935	16.00%
FY 01:	16,631	16.88%
FY 00:	16,178	16.97%
FY 99:	18,708	19.16%
FY 98:	18,772	20.13%

**Trial Division: Capital Eligible, Juvenile, & Involuntary
Commitment Cases, FY 03 Including % of Total Cases
(115,178)**



**Trial Division: Capital Eligible, Juvenile, &
Involuntary Commitment Cases, FY 02
Including % of Total Cases (105,855)**



**FY 03 Full Year: Capital Eligible,
Juvenile, and Involuntary Commitment cases**

CountyName	Capital Eligible	Juvenile	Involuntary Comm
ADAIR	4	45	
ALLEN	2	17	
ANDERSON		106	
BALLARD		40	
BARREN		16	
BATH		30	
BELL	5	96	
BOONE		16	2
BOURBON	3	111	
BOYD		123	
BOYLE		88	
BRACKEN		10	
BREATHITT		39	1
BRECKINRIDGE		77	
BULLITT	4	121	
BUTLER		17	
CALDWELL		24	
CALLOWAY		63	
CAMPBELL		67	
CARLISLE		13	
CARROLL		22	
CARTER		92	
CASEY		22	
CHRISTIAN	2	251	596
CLARK		193	
CLAY	2	73	
CLINTON		7	
CRITTENDEN		12	
CUMBERLAND		31	

CountyName	Capital Eligible	Juvenile	Involuntary Comm
DAVISS	1	443	7
EDMONSON		13	
ELLIOTT		23	
ESTILL		35	
FAYETTE	7	1,152	488
FLEMING		20	1
FLOYD		145	
FRANKLIN		197	
FULTON		67	
GALLATIN	1	48	1
GARRARD	1	52	
GRANT		26	1
GRAVES		54	
GRAYSON		83	
GREEN		58	
GREENUP	2	84	
HANCOCK		13	
HARDIN	1	314	21
HARLAN	1	92	1
HARRISON			
HART		45	
HENDERSON		413	
HENRY	1	59	1
HICKMAN		31	
HOPKINS	1	152	
JACKSON		25	
JEFFERSON	18	4,321	963
JESSAMINE		155	
JOHNSON		61	
KENTON	3	926	87
KNOTT		157	
KNOX	1	222	

CountyName	Capital Eligible	Juvenile	Involuntary Comm
LARUE	1	43	
LAUREL		318	
LAWRENCE		30	
LEE	1	15	
LESLIE		20	
LETCHER		357	
LEWIS		50	
LINCOLN		61	
LIVINGSTON		24	
LOGAN	1	39	
LYON		15	
MCCRACKEN	3	517	
MCCREARY	3	119	2
MCLEAN		3	
MADISON		255	
MAGOFFIN		31	
MARION		41	
MARSHALL		80	
MARTIN		16	
MASON		96	
MEADE		44	
MENIFEE		31	
MERCER		70	
METCALFE		22	
MONROE		53	
MONTGOMERY		117	
MORGAN		38	
MUHLENBERG		51	
NELSON		94	2
NICHOLAS			
OHIO		46	
OLDHAM		116	

CountyName	Capital Eligible	Juvenile	Involuntary Comm
OWEN		49	
OWSLEY		15	
PENDLETON		42	
PERRY		277	190
PIKE	1	284	1
POWELL		41	
PULASKI	1	76	
ROBERTSON		5	
ROCKCASTLE		29	
ROWAN	1	73	
RUSSELL		40	
SCOTT		128	
SHELBY	2	86	
SIMPSON	1	21	
SPENCER		22	
TAYLOR		97	
TODD		4	
TRIGG		31	
TRIMBLE		33	
UNION		30	
WARREN	9	659	1
WASHINGTON		12	
WAYNE		59	
WEBSTER		21	
WHITLEY		149	
WOLFE		18	
WOODFORD		80	
TOTALS:	84	16,501	2,366

**ANNUAL REPORT
FY 2003
APPEALS BRANCH CASELOAD**

CASES RECEIVED

(all cases where information is received, regardless of appointment)

Court of Appeals

Direct/Adult	JPDB	Post-Conviction	Other/Unknown	Total
69	*	154	206	429

Supreme Court

Direct/Adult	Direct/Capital	JPDB	Post-Conviction	Other/Unknown	Total
121		*		6	127

CASES ASSIGNED

(all cases assigned for briefing, does not include assignments
for review under KRS 31.110)

Court of Appeals

Appeals Branch	Of Counsel	Other	Total
133	101	0	234*

Supreme Court

Appeals Branch	Of Counsel	Other	Total
83	2		85

Federal Habeas Cases

U.S. District Court	6 th Circuit U.S. Court of Appeals
1	1

Note: Appeals Branch attorneys also represented clients in 1 trial court 60.02 proceeding seeking new trial ancillary to the direct appeal; 1 trial court hearing regarding appeal bond; 8 petitions for certiorari to the U.S. Supreme Court, all of which are pending; and provided co-counselling assistance to trial counsel on several extraordinary writs and/or interlocutory appeals.

* Does not include 12 CoA adult direct appeals assigned to JPDB; 4 assigned to CPB; and 1 assigned to CAB, as well as 1 conflict SC appeal assigned to CPB and 1 conflict SC appeal assigned to CAB. These are reflected in the annual caseload reports for those respective branches

**POST TRIAL DIVISION
CAPITAL APPEALS BRANCH
FOURTH QUARTER – FISCAL YEAR 2003**

CASELOAD

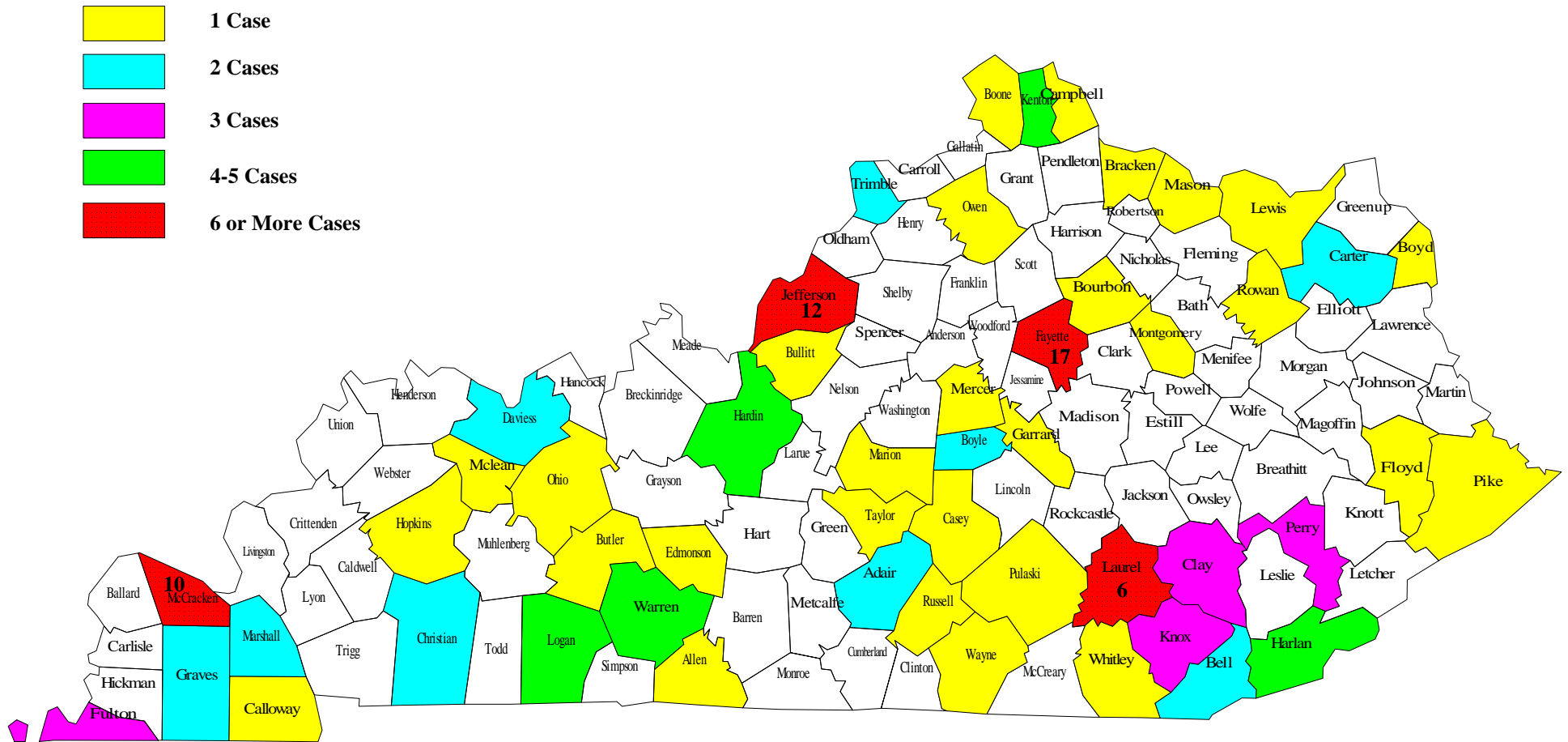
	Capital	LWOP/LWOP25	SCt	CtAp	Qrtly Total	Total YTD
Pending	12	14	18	4	48	----
Opened	0	5	6	0	11	22*
Closed	0	0	1	0	1	9

	Q1	Q2	Q3	Q4	YTD
Briefs	3	4	4	2	13
Reply Briefs	2	5	1	5	13
R.Pet/MDR	2	1	2	0	5
Arguments	0	0	2	0	2
Opinions	0	1	3	3	7
Certiorari	0	0	1	1	2
Hearings	1	0	2	0	3

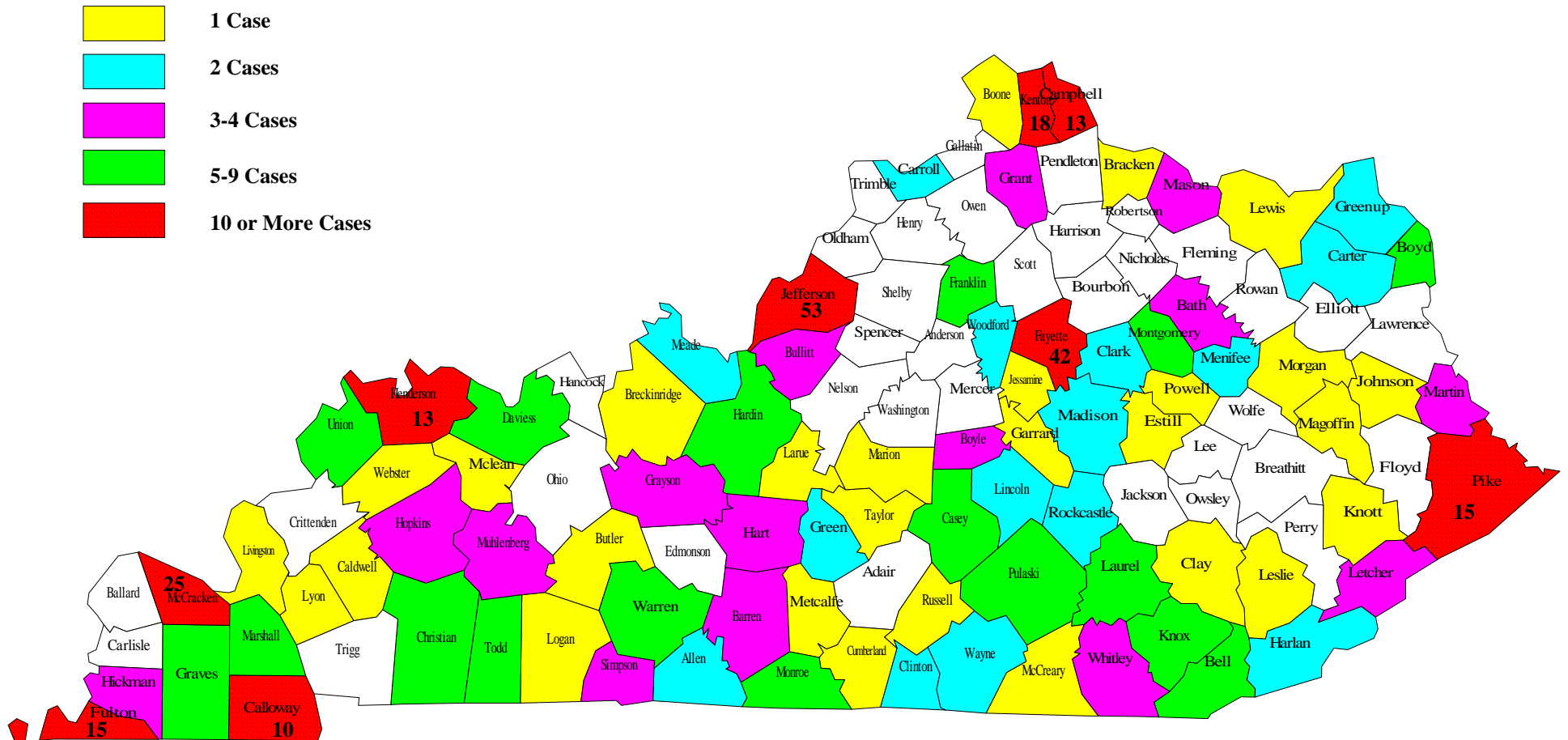
*0 capital, 10 LWOP or LWOP/25, 11 S.Ct., 1 Ct. App

Capital Appeals Branch generally lists only new cases opened in FY 03 (22 cases total) in order to maintain consistency with the remainder of the caseload report. However the "average per case funding" for the branch (located behind Tab 1) includes pending cases to more accurately reflect the work being done by this branch. Otherwise, given the protracted multi-year nature of most capital post-trial litigation, this average would not include the majority of cases. For FY 03, the total Capital Appeals Branch cases opened and pending totaled 48 cases, and this number is also reflected in the Tab 11 Post Trial Division analysis.

APPEALS BRANCH CASES RECEIVED BY COUNTY – FY 03
KENTUCKY SUPREME COURT



APPEALS BRANCH CASES RECEIVED BY COUNTY – FY 03
COURT OF APPEALS



Juvenile Appeals Caseload

Cases Assigned, By Quarter, FY 2003

Type of Case		1Q	2Q	3Q	4Q	Total
Original Action	Circuit Court	1	0	0	0	1
	Court of Appeals	0	0	0	0	0
	Supreme Court	0	1	0	0	1
	Federal Court	1	0	1	1	3
Public Offender Appeal	Circuit Court	2	3	8	3	16
	Court of Appeals	0	0	0	2	2
	Supreme Court	0	0	0	0	0
	Federal Court	0	0	0	0	0
Youthful Offender Appeal	Circuit Court	0	0	1	0	1
	Court of Appeals	0	0	2	1	3
	Supreme Court	4	4	0	0	8
	Federal Court	0	0	0	0	0
Adult Appeal	Circuit Court	0	0	0	0	0
	Court of Appeals	0	0	5	4	9
	Supreme Court	0	0	0	0	0
	Federal Court	0	0	1	0	1
Total		8	8	18	11	45

Documents Filed and Hearings Attended, JPDB, FY 2003

Post Disposition

	1Q	2Q	3Q	4Q	Total
State Habeas Corpus Filed	1	1	0	0	2
State Habeas Corpus Hearings	0		0	0	0
11.42's Filed	2	3	0	0	5
11.42 Hearings	4	4	5	0	13
610.120 Motions Filed	3	11	4	1	19
610.120 Hearings	5	11	2	3	21
Motions for Belated Appeal Filed	0	0	0	0	0
Motions for Belated Appeal Hearings	0	0	0	0	0
Cases Resolved By Agreement, No Filing	0	2	1	1	4
YO Sentencing Motions Filed	2	3	4	6	15
ASP's Filed	6	9	0	5	20
Sentencing Hearings Held	3	2	1	7	13
Briefs Filed	3	5	0	2	10
Oral Arguments Held	0	1	0	1	2
Other Motions Filed	9	9	13	9	40
Other Non-SPR Hearings Held	2	1	1	3	7
Number of Claims Administratively Resolved	35	33	33	31	132
SPR Cases	0	0	0	0	0
Total	75	95	64	69	303

Juvenile Appeals

	1Q	2Q	3Q	4Q	Total
Original Actions	2	1	3	2	8
Motions Filed	23	21	13	29	86
Original Briefs Filed	9	6	4	3	22
Reply Briefs Filed	5	4	5	3	17
Hearings/Oral Arguments	13	7	8	9	37
Total	52	39	33	46	170

JAIBG*

	1Q	2Q	3Q	4Q	Total
Attendance in Juvenile Court	1	7	3	7	18
Motions Filed	4	1	6	2	13
Original Briefs Filed	3	0	2	0	5
Reply Briefs Filed	0	0	0	0	0
Hearings, Oral Arguments	0	0	4	0	4
Meetings with Judges in Field Offices	0	6	7	13	26
Total	8	14	22	22	66

* Does not include appeals case documents filed by JAIBG attorney for Juvenile Appeals. (This attorney's Juvenile Appeals output is listed above in the Juvenile Appeals Section.)

JPDB Open issues – FY 03

InstitutionName	<u>Fact</u>	<u>Duration</u>	<u>Condition</u>	<u>Totals</u>
Adair Youth Development Center	30	37	10	77
Ashland Group Home	1	2	0	3
Bluegrass Assessment Center	23	2	3	28
Cadet Leadership Education Program	45	4	11	60
Cardinal	28	13	12	53
Green River	25	8	28	61
Lake Cumberland	32	21	21	74
Lifeskills Day Treatment	1	0	1	2
Lincoln Village	24	34	1	59
Mayfield	26	7	19	52
Morehead	23	5	3	31
Northern	32	16	9	57
Owensboro	17	9	14	40
Rice Audubon	29	10	8	47
Woodsbend	36	7	2	45
TOTALS:	372	175	142	689

[illegible]

LEGAL ACTIONS PURSUED	
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	

ACTION						Q1	Q2	Q3	Q4	YTD
RCR 11.42's Filed - Court Appointed						27	28	30	36	121
RCR 11.42's Filed - Litigation Cases						4				4
60.02's Filed - Court Appointed						6	6	14	3	29
60.02's Filed - Litigation						0				0
11.42 Cases Reviewed w/ Findings of No Merit						4	3	2	1	10
State Habeas Filed						0	0			0
Federal Habeas Opened						1	1			2
New KY Appeals Cases Opened						5	5	7	5	22
Supreme Court Cases Opened						0		1	1	2
6th Circuit Cases Opened						0		1		1
31.110 Reviews						28	30	32	27	117
COA's Denied						0		1		1
KIP						10	0	0	0	10
TOTALS						85	73	88	73	319

[illegible]

			<i>Kentucky Innocence Project</i>							
		Q1	Q2	Q3	Q4	YTD				
Action										
Cases Reviewed		24	28	19	20	91				
Cases Selected		10	0	0	0	10				

CAPITAL POST CONVICTION BRANCH CASELOAD FY 2003

FIRST QUARTER, 2003 (JULY-SEPTEMBER, 2002)

	CPB*	OTHER#	APPEALS^	POST CONV^	QUARTER	YTD
PENDING BOQ	18	12	4	-2-	36	---
OPENED	-0-	1	1	-0-	2	2
CLOSED	1	-0-	-0-	-0-	1	1
PENDING EOQ	17	13	5	2	37	---

SECOND QUARTER, 2003 (OCTOBER-DECEMBER, 2002)

	CPB*	OTHER#	APPEALS^	POST CONV^	QUARTER	YTD
PENDING BOQ	17	13	5	2	37	---
OPENED	-0-	-0-	4	3	7	7
CLOSED	--	--	-1-	-0-	1	2
PENDING EOQ	17	13	8	5	43	---

THIRD QUARTER, 2003 (JANUARY-MARCH, 2003)

	CPB*	OTHER#	APPEALS^	POST CONV^	QUARTER	YTD
PENDING	17	13	8	5	43	---
OPENED	-0-	-1-	-0-	-0-	-0-	7
CLOSED	-0-	-0-	1	-0-	1	3
PENDING EOQ	17	14	7	5	43	---

FOURTH QUARTER, 2003 (APRIL-JUNE 2003)

	CPB*	OTHER#	APPEALS^	POST CONV^	QUARTER	YTD
PENDING	17	14	7	5	43	---
OPENED	2	-0-	-0-	-0-	2	9
CLOSED	-0-	-0-	-0-	-0-	-0-	3
PENDING EOQ/EOY	19	14	7	5	45	---

*Capital post conviction cases handled by at least one CPB attorney. For purposes of these charts only, CPB includes both Capital Post Conviction and the Capital Post Conviction Conflict Unit.

#Capital post conviction cases handed by outside-CPB attorneys (other DPA or outside, including JCPD)

^Non-capital appeal and post conviction cases handed by CPB attorneys

Capital Post Conviction Branch generally lists only new cases opened in FY 03 (9 cases total) in order to maintain consistency with the remainder of the caseload report. However the "average per case funding" for the branch (located behind Tab 1) includes pending cases to more accurately reflect the work being done by this branch. Otherwise, given the protracted multi-year nature of most capital post trial litigation, this average would not include the majority of cases. For FY 03, the total Capital Post Conviction Branch cases opened and pending totaled 43 cases, and this number is also reflected in the Tab 11 Post Trial Division analysis.

BRIEFS AND MOTIONS PRODUCED ON KENTUCKY CAPITAL POST CONVICTION CASES

	1 st QUARTER		2 nd QUARTER		3 rd QUARTER		4 th QUARTER		
ITEM	CPB ¹	OFC	CPB	OFC	CPB	OFC	CPB	OFC	TOTALS
BRIEFS	3	-0-	9	2	7	1	-0-	-0-	22
REPLY BRIEFS	-0-	-0-	1	-0-	3	-0-	2	2	8
REHEARING	3	1	1	1	1	-0-	1	-0-	8
ARGUMENTS	-0-	-0-	1	-0-	-0-	-0-	-0-	-0-	1
OPINIONS	-0-	1	1	2	2	-0-	2	-0-	8
CERTIORARI	-0-	-0-	-0-	1	-0-	-0-	1	-0-	2
HEARINGS	1	1	2	-0-	1	2	3	-0-	10
STAYS	1	-0-	1	-0-	-0-	-0-	-0-	-0-	2
MAJOR MOTIONS*	-0-	-0-	3	2#	2	-0-	3	4	14

*Recusal, Discovery, Funds

#Includes Stanford clemency petition to Governor Patton

ALLOCATION OF CAPITAL POST CONVICTION CASES (CPB AND CPCC)

(all cases assigned from stage 4-9 of criminal jurisprudence)

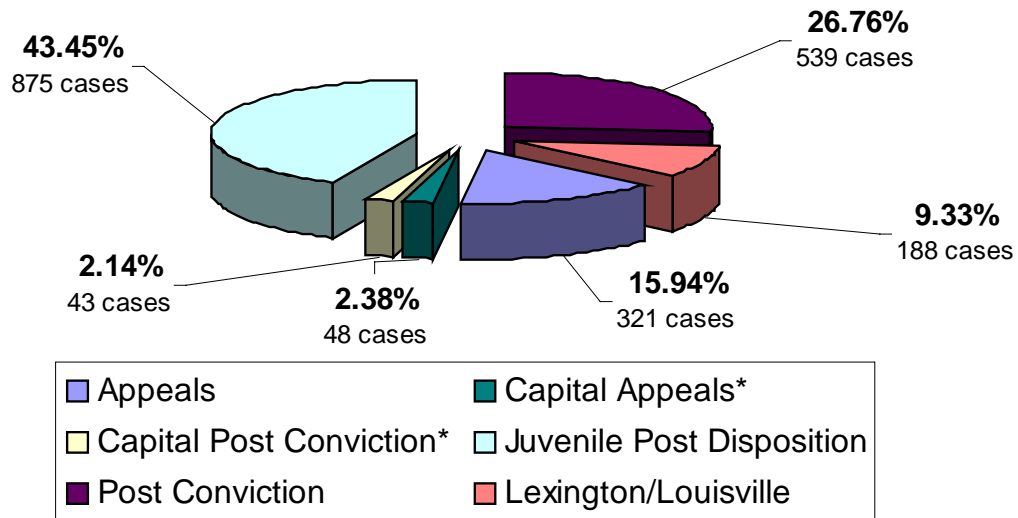
	RCr 11.42 in the trial court	RCr 11.42 in the Ky Supremes	RCr 11.42 in the US Supremes
CPB	-13-	-0-	-1-
OFC	--3-	-2-	-0-

	Federal habeas in the district court	Federal habeas in the 6 th Circuit	Federal habeas in the US Supremes
CPB	-3-	-2-	-0-
OFC	-6-	-2-	-0-

Direct appeals--Ky Court of Appeals	Direct appeals--KY Supremes	Non-cap 11.42 in trial court	Non-cap 11.42 in Ky Ct Appeals
-3-	-4-	-3-	-1-

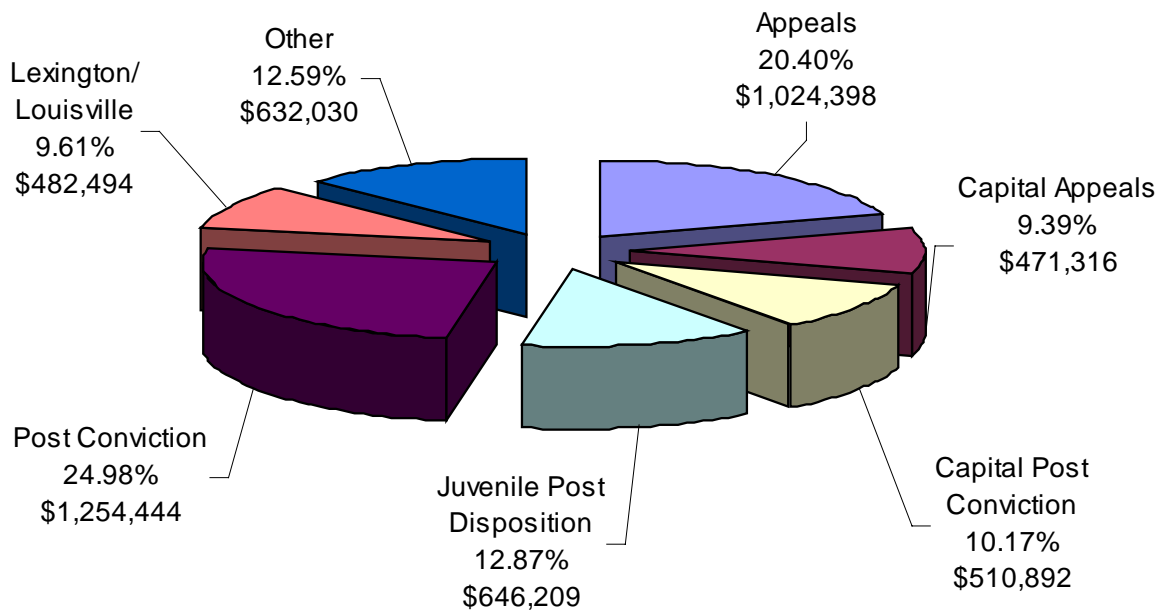
¹ For purposes of these charts only, CPB refers to both Capital Post Conviction and the Capital Post Conviction Conflict Unit. OFC is any case which is not handled by at least one CPB or CPCC attorney (includes DPA and contract attorneys).

Post Trial Division Total Caseload by Branch, FY 03

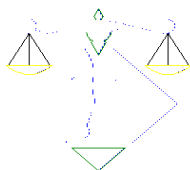


*Includes pending cases to more accurately reflect the protracted nature of capital work.

Post Trial Division Expenditures by Branch, FY 03



The Kentucky Department of Public Advocacy does not discriminate in employment of individuals or provision of services with regard to race, color, religion, national origin, disability, sex, age, or sexual orientation.



This document was printed with state funds.